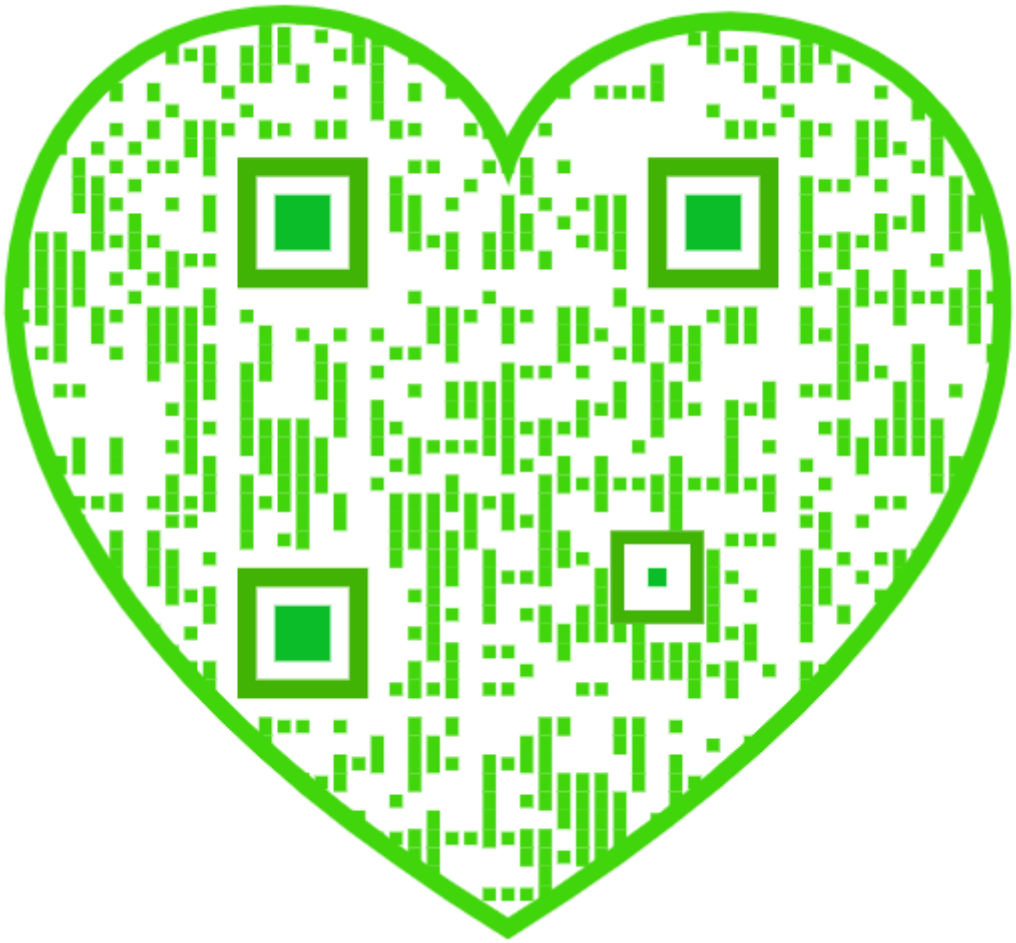
JK
274
.U66

AMERICAN CIVICS HANDBOOK

RALPH R. UPTON.



Class JK 274

Book .U 66

American Civics Handbook

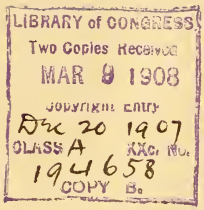
Containing a Brief Outline of
AMERICAN CIVIL GOVERNMENT AND
UNITED STATES HISTORY

By RALPH R. UPTON, A.B. (Yale), LL.M.
Principal of the Streator Township High School

"The best of all governments is that which teaches us to govern ourselves."—Goethe.

Free Press Print
Streator, Ill.
1908

JK 274
.U66



COPYRIGHT 1907
By Ralph R. Upton

FOREWORD

This book is the outgrowth of class-room experience. It is published because of a demand from friends for copies of the notes which are the basis of the text. For several years the author vainly tried to correlate Civil Government and United States History in a single course of one semester by the use of several texts; the vanity of the effort caused the preparation of the notes of which this book is the elaboration. After five years of use, in manuscript, he has found the plan outlined within these pages eminently successful and he presents it to the public with the hope that it may be of use to others.

The text is called a handbook and is intended to be used in connection with the larger and stronger texts in Civil Government and United States History. The liberal use of note books and maps is imperative as is also the frequent use of larger texts for elaboration of topics but briefly considered in this very concise text. It is hoped, also, that it will be found very helpful for teachers and others who desire to prepare for examinations.

It is suggested that this book be used by the advanced class of the smaller secondary schools in a course of twenty weeks and that the topical method be employed in the United States History, following the list of Memorable Events in the later history and the topics given as sub-heads on the side of the pages in the earlier history.

The author has made a modest effort to correlate all history with that of the United States and with Civil Government, using the history of England as a medium. In this way it will be possible for a student to make a general review of all history in the fourth year of his course and make the facts permanently a part of his equipment by memorizing the Focal Dates.

CHAPTER I.

Social Evolution.

Man is a social being and the social instinct or sentiment being natural and universal, mankind is everywhere found associated in groups called social units, and when so associated man is said to be living in a state of society.

Man a Social Being

With the creation of the family the social life of men began and society became a necessity. "In examining these social units it is found that the more civilized their members are, the greater sociability they exhibit, and, consequently, the closer they draw together in their common relations. The closer they draw together the more interests they have in common, and the more necessary it becomes that the selfish desires of individuals should give way to, when they conflict with, the general interests of the community at large."

The selfish instincts combat constantly with the higher social feelings and mankind early appreciated that the absolute reign of the selfish instincts would lead almost immediately to common destruction. In the lowest stages of civilization the sole social aim animating man to unite in social units larger than the family, in tribal or clan units, was the desire for peace.

Selfishness vs. Public Spirit

Each soon saw that the maintenance of peace in the social unit was to the individual advantage of each and that other interests should be secured through the common effort of each member of the social unit.

Man first desired protection for the game taken in the chase, then for the domesticated animals of the pastoral stage, and later formulated rules governing the ownership, at first only temporary, of the cultivated land of the agricultural stage. From these interests developed the many laws regarding personal liberty and the right of property, which are every day becoming so intricate and complicated that now no man can live "to himself alone."

The keynote of social harmony is the subordination of the individual desires to the general good.

Wars, revolutions and immense expense of life and treasure have been necessary from time to time to keep this truth in the mind of man, and those nations have always been superior in prosperity and happiness and frequently in political power which have most perfectly obeyed this rule.

The Family The Tribe;

The earliest unit was the family, which is the "school of all the virtues." Next to the family is the tribe, which was originally only an enlarged family, or the grouping of relatives under a patriarch.

This is the stage of social development attained by most of the savage races of today.

The Nation

The next stage of development is that of the nation. A nation is a community of persons, usually inhabiting a certain territory, associated under and controlled by a single government, and with a greater friendliness for one another than for others. The nation originated in identity of race, those of the same race constituting one nation: thus the nation is as originally an enlarged tribe or clan. As nations increased in size other people entered of differing races, until now few nations have absolute identity of race. Although identity of race is the chief factor causing a feeling of common nationality, yet other very important factors operate with identity of race, such as a common history, sameness of religion, similar customs, a common language and identical commercial interests.

The British have a common history, the Jews sameness of religion, the Chinese similar custom, the French a common language, the Swiss identical commercial interests.

Nations are generally organized in states. A state is an organized society or community of persons living within certain limits of territory, and aiming to secure the prevalence of justice by self-imposed law.

The government of a state is subject to change and the people, who are the state, can mould it as they will. Individually the members of a state are called citizens or subjects; collectively they are called the people.

Government

Government is the organization of the state, the machinery through which its purposes are formulated and executed. Civil government is the control by law of the citizens of a state and this control involves the exercise of three fundamental functions:

(1) The law-making function.
(2) The law-interpreting function.
(3) The law-administering function.

The people living under a government are divided into two classes:

(1) Citizens or subjects.
(2) Aliens.

Citizens and Aliens

An alien is a citizen or subject of a foreign state, residing in another state, where he is held in obedience to the laws but enjoys only such rights as the state in which he resides sees fit to grant to him, as for example: the right to acquire and own land, to vote, etc. All who are not aliens are citizens or subjects. In some countries there is a third class, called denizens, but in this country all who are not aliens are citizens. Aliens may become citizens of the United States by naturalization. So that by the Fourteenth Amendment to the Constitution there are two classes of citizens—those of native birth and naturalized aliens. Citizenship does not of itself give the right to vote. Suffrage is a privilege granted as a reward of merit.

CHAPTER II.

Government

Government is the organization of the machinery of a state, and its functions may be classified:

Functions of Government

(1) As to the character, into legislative, the law-making power; executive, the law-administering-power, and judicial, the law-interpreting power: and

(2) As to the necessity of their performance by the state, into essential and non-essential.

Law

Law being "a rule of action prescribed by a superior power," it is necessary that the superior power (the state) declare what is law, and this the state does through the legislative power.

When the laws explicitly forbid certain acts, and attach penalties to their performance, such acts are termed crimes or misdemeanors, and laws forbidding them are termed criminal laws, and the persons violating them are tried in the criminal courts. When the laws have reference to other matters, such as property, contract, commerce, etc., they are termed civil laws and are interpreted and applied in civil courts.

After these laws are made and declared they must be enforced. this is done by the state through the executive function: and when there is doubt as to the meaning of a law the doubt must be settled by the state through the judicial function.

The forms of government depend largely upon the manner of administering the three functions.

Forms of Government

When a government combines the three functions of legislation, administration and interpretation in one and the same person, such government is called an absolute monarchy. When the government is theoretically vested, as to the three functions, in one and the same person, but the power of the ruler is limited by a constitution, formulated wholly or in part by the people, written or unwritten, such a government is called a limited or a constitutional monarchy. A government in which the chief executive and the members of the legislative department are chosen by the people and the judiciary chosen by the executive or elected by the people, is called a representative democracy, or a republic. Where the whole body of the people meet to make the laws and select in a public meeting the executives and judges, such a government is called a pure democracy. A state in which all the functions of government are in the hands of a few self-appointed leaders is called an oligarchy, or an aristocracy.

Despotic government and popular government do not designate forms distinct from monarchy, aristocracy and democracy but the terms are used to de scribe the form of political control by the people.

Popular Government

A popular government is one where, to the utmost degree, a "govern-

ment of the people, by the people and for the people," is realized. Thus arises the distinction between free and despotic government, as to whether rule is in accord with or without reference to, the will of the people.

As civilization advances the people grow, both in orderly habit and in moral qualities. As the distinction between right and wrong develops in a people principles of justice are more frequently followed with regard to the sanction of the state and as self-dependence develops self-government also grows, and man aspires first to individual freedom, (or the security derived from the law whereby one is protected by the government from the violence of other individuals), and then for political freedom, (or the power of the people themselves to determine what form of government shall be established and what shall be its power). Subjects may have great individual freedom without any political freedom, as in Rome under the emperors, and vice versa, as in the South American republics. Since the dawn of history there has been a struggle between the forces of authority and of liberty, government swinging at one time toward despotism and peace and again toward anarchy and freedom, but in most modern civilized countries authority and liberty have been happily blended into aconstitutional state.

Essential Functions

The functions of the state as to the necessity of their performance are divided into:

(1) Essential, and
(2) Non-essential.

The essential functions are admitted by all but Anarchists, and are classified (by President Wilson) as:

1. The keeping of order and providing for the protection of persons and property from violence and robbery.
2. The fixing of the legal relation between man and wife and between parents and children.
3. The regulation of the holding, transmission and interchange of property and determination of its liabilities for debt or for crime.
4. The determination of contract rights between individuals.
5. The definition and punishment of crime.
6. The administration of justice in civil causes.
7. The determination of the political duties, privileges and relations of citizens.
8. The dealings of the state with foreign powers and the advancement of its intellectual interests.

Non-Essential Functions

The non-essential functions are those which regulate the economic, industrial and moral interests of the people. This pertains to the government regulation of such matters as harbors, rivers, roads, the post system, canals, care for the poor and insane, etc. There is a wide divergance of view and opinion as to the extent the government should participate in the non-essential functions. Excessive interference tends towards socialism and communion and lack of interference lowers the standard of the state and creates classes and an artistocracy.

CHAPTER III.

Elementary Law.

As the functions of state as to character are law-making, law-interpreting and law-administering, it is important to know something of elementary law.

International and Municipal Law

The law of civil conduct is of two kinds, international, prescribed by the common consent of Christian nations, regulating their intercourse with one another, and in this country administered through the Dept. of State, by means of the Diplomatic service sometimes with the help of the consular and naval services, and interpreted by the Federal courts; and municipal law, prescribed by the supreme power of a state regulating the intercourse of its state with its subjects and of those subjects with each other.

American municipal law, is, as to its object, Federal, prescribed by Congress and the Constitution and Treaties, and State, prescribed by the state legislatures, under the state constitutions.

Rights and Wrongs

Law protects rights and redresses wrongs. Rights, at law, are of two kinds, public and private, and Wrongs, are of two kind, Private, (known as torts) where the rights of private persons are violated, and Public, (known as crimes), where the rights of the state over its people, or those of the people in, or against, the state, are either diminished or destroyed.

Besides the written law (and in England the un-written law), there are other rules of civil conduct, which are practically applied, by certain courts, to the enforcement of rights and the redress of wrongs. The most important of these is that system of rules known as Equity. Equity is intended to supply the defects, and correct the evils, created by the universality and inflexibility of the rules of law. When law fails to give protection or redress, relief must be sought in equity. It is administered by Courts of Chancery or Equity.

Absolute Private Rights

Private rights are of two kinds, Absolute and Relative. Private Wrongs are the violation respectively of the various kinds of private rights. There are three absolute private rights, the Right of Personal Security; the Right of Personal Liberty; the Right of Private Property.

Personal Security is the right every man has to legal and uninterrupted enjoyment of his life, limbs, body, health and reputation. Personal Liberty is the right to be legally free from imprisonment, and a person will be delivered from illegal imprisoning by the judicial proceeding known as the Writ of Habeas Corpus. Private property is the right which every man has to use and dispose of all his property, subject to no control save that of law.

Property includes whatever can be exclusively possessed and

Property

enjoyed, and is classified as to intrinsic character as corporeal and incorporal; and as to legal character into *Real,* or that which is, in contemplation law, immovable, and *Personal,* or that which is movable in contemplation of law.

The interest in property is known as an Estate, and is both real and personal. The subject of estates is one of the most complicated and elaborate in law. Estates in real property, in this country, are now nearly all granted by deed or by will. An estate is acquired by means of a title, and a title is therefore the means by which the owner of an estate acquires his right of property. There are many kinds of titles, the most important of which are those by devise (will, etc.,) marriage, judicial decree, public grant (land patent), private grant (deed) and by contract.

Relative Private Rights

The Relative Private Rights are four: Husband and Wife: Parent and Child: Guardian and Ward: Master and Servant.

The violations of Public Rights are Public Wrongs. Public Wrongs, or Crimes, are of three classes: Treason, Felony and Misdemeanor.

Crimes

In the U. S. as defined by the Constitution, Treason consists only in levying war against the U. S., or in adhering to their enemies, giving them aid and comfort. Felonies were originally those crimes involving in punishment forfeiture of estate, but as forfeiture in this country is forbidden, it includes those crimes usually punishable by death or imprisonment in a State prison. Misdemeanor includes all crimes that are neither Treason nor Felony. Felonies against the person, are Murder, Manslaughter and Rape. Against property Arson, Burglary, Larceny and Robbery. Each state legislates regarding the classification of crimes and the student desiring further knowledge should examine the Statutes of his state.

Judicial Procedure

Judicial procedure regarding private wrongs (torts) is called a *Civil Suit in Law* and regarding matters in Equity is called a *Civil Suit* in Equity: procedure regarding Public Wrongs or Crimes is called a *Criminal Case.*

There is some difference in the procedure in Law and in Equity, and much difference between Civil and Criminal Cases. In cases at Law the person who makes the complaint, that is brings the suit, is termed plaintiff (in Equity complainant), and the one against whom the suit is brought, the defendant.

The essential difference in the methods of trial in law and in Equity is that in law cases there is a jury of six or twelve men selected from the vicinity to decide the facts, and the judge who presides determines the law which is applicable: while in equity cases the judge decides both law and facts, and there is no jury.

By the statutes of many states a jury is permitted in equity cases; especially in divorce cases.

The first thing to do in beginning proceedings is to determine what court has jurisdiction of the case. This depends upon the location of the parties or of the property. The plaintiff then files a precipe, which is a paper suggesting that a writ be issued by the court summoning the defendant to appear before it.

(2) The next step is for the plaintiff to file with the court his formal complaint, called in law a "declaration" and in equity a "bill of complaint" and to notify the defendant that the suit has

been brought against him. The defendant then replies or answers in the "plea," and his defense may be again answered by the plaintiff in the "replication," and so on, if necessary, through the rejoinder, surrejoinder, rebutter, sur-rebutter, etc., until the exact points at controversy are determined, or as stated technically, until the "issue" is determined. This stage is called the process of "pleading."

The law case is then ready for (3) trial, but in equity the parties then proceed to take depositions or take evidence before a master in chancery and in equity the lawyers argue the case before the judge as to the conclusions drawn from the facts presented. All the evidence and documents in the equity case are called the record. In the trial (3) of a case at law both lawyers state to the judge and jury the points each expects to make. Then the witnesses on each side are examined and cross-examined, under very delicate rules of evidence as to admissible testimony.

(4). This concluded, the lawyers, in what are called "prayers" or "instructions," ask that the judge instruct the jury that the law which is applicable is such and such. The judge grants such prayers as he sees fit, and instructs the jury as to the law, and directs them that if they find the facts as based upon the given evidence to be so and so, they are to give a decision in favor of the plaintiff; or if they find the facts to be otherwise, then they are to decide in favor of the defendant.

5. This decision by the jury is termed the "verdict," and must be concurred in by all twelve of the jury.

Appeal

The next step is for the defeated party, if he so desires, to take an appeal to a higher court.

In a law case this takes the form of an argument in the higher court, in which there is no jury, based upon the alleged errors committed by the judge of the lower court in any of his rulings either upon the admissibility or inadmissibility of evidence, or in his instructions to the jury, which alleged errors have been excepted to by the defeated party at the time made. Other grounds of error may also be adduced. The higher court rarely interferes with the verdict of a jury in the court from which the appeal is taken; only where the verdict is very evidently unreasonable or where there is some technicality as to the personelle of the jury will the higher court set aside a verdict on appeal. If the judge of the higher court thinks the trial judge committed material error a new trial is ordered in the lower court.

In the case on appeal to a supreme court in a suit in equity the whole "record" goes to the higher court and the trial is substantially similar to that held in the lower court.

In a criminal case the first step is the arrest of the offender.

Criminal Case

This may be without warrant where there is great certainty of the criminal, or with warrant, which is a paper issued by a magistrate commanding an officer to arrest the man therein described for alleged criminal act. The accused is than brought before a magistrate, who, if he has jurisdiction, may give immediate trial, if not he may commit the accused to await the action of the grand jury for trial before the proper court, and unless released on "bail" (a bonded security given by friends guaranteeing the appearance for trial of the accused at the proper time), the accused awaits trial in jail.

There are three ways in which one suspected of crime may be formally accused: By information, which is a written accusation.

Formal Accusation; Information Indictment Presentment

under oath, by a public prosecutor, to a competent court: an indictment, which is a written accusation presented by a grand jury, under oath, and upon the suggestion of the public prosecutor, to a competent court.

The grand jury then considers the evidence and if they deem it sufficient order the arrest and trial of the accused by assenting to the indictments and returning them as "true bills." If the indictments are returned "not true bills" the accused, if in custody, is at once released.

The third form is the presentment, which is a written accusation presented by the grand jury upon its own motion.

The main differences in the trial of a criminal case from that of a civil is that the public prosecutor acts for the State as plaintiff: the first step is the arraignment, or formal demand of the guilt of the prisoner. In answering he is said to plead to the indictment, information or presentment. After the usual trial procedure, differing but slightly from the civil, the jury brings a verdict of "guilty" or "not guilty," and the judge imposes the sentence. An appeal may be taken by the defendant but not by the state. After conviction a pardon may be granted by the Governor in State cases, other wise by the President.

CHAPTER IV.

Historical Foundations.

As Europe has furnished the dominant races of America and as America has evolved its institutions from those of Europe it is necessary to begin the study of American History with a brief survey of European history.

In considering history from the viewpoint of Civics it will be best to examine very briefly the events which were steps in the struggle between liberty and authority. Not to be burdened with a mass of dates and facts the following events and dates have been selected as those pertaining to the illustration of man's gradual emancipation from tyranny.

Focal Dates

B. C. 1000. Israel under Solomon. Dominance of monotheism.

B. C. 776. First Olympiad. Beginnings of Greece and culture.

B. C. 753. Founding of Rome. Beginning of Rome and rule by law.

B. C. 490 Battle of Marathon. Persia and Orientalism crushed in Europe.

B. C. 331. Battle of Arbela. Persian Empire in Asia crushed by Alexander.

B. C. 55. Invasion of Britain by Caesar. Law and order enters England.

B. C. 4. Birth of Christ. Religious toleration begins.

A. D. 410. Alaric sacks Rome. Romans leave Britain. Way opens for Saxons.

A. D. 449. Hengist and Horsa enter Britain. Local self-government begins.

A. D. 597. St. Augustine in Britain. Christianity in Britain.

A. D. 622 Hegira of Mohammed. Asia reformed and uplifted.

A. D. 800. Charlemagne crowned. Beginning of Holy Roman Empire.

A. D. 1066. William the Norman becomes king of England. Centralization.

A. D. 1215. Magna Charta granted the Barons by John. "The first Bulwark."

A. D. 1265. First House of Commons. Parliamentary government begins.

A. D. 1438. Invention of Printing. Freedom of the press begins.

A. D. 1492. Discovery of America by Columbus. "A haven for the persecuted."

A. D. 1517. The Reformation. Freedom of Worship.

A. D. 1628. Petition of Right. "The second Bulwark of English Liberty."

A. D. 1689. Bill of Rights. "The third Bulwark."

A. D. 1776. Declaration of Independence.

Division of America Civic History

As the English language is the tongue of the people of the United States and as the institutions of the United States are derived largely from those of England, the real history of the people of the United States commences, previous to 1776, with the beginning of the history of England. The American Civic History may be divided into three parts as follows:

Part I. The History of England previous to 1776.

Part II. The events in America from 1776 to 1828, the period when the United States was dominated by foreign influences.

Part III. The events from 1829 to the present.

CHAPTER V.

Part I—English Constitutional History.

The dates of the reigning monarchs are the bases of English chronology. The following is the list: (England has been ruled by eight dynasties, Norman, 1066: Plantagenet, 1154: Lancaster, 1399: York, 1461: Tudor, 1485; Stuart, 1603; Nassau, 1689: Brunswick-Hanover, 1714; Saxon rule was so weak and non-centralized that it has been disregarded: (Saxon; Egbert 828; Alfred 878).

NORMAN: William I, 1066: William II, 1087: Henry I, 1100: Stephen, 1135.

PLANTAGENET: Henry II, 1154: Richard I, 1189: John, 1199: Henry III, 1216: Edward I, 1272: Edward II, 1307: Edward III, 1327: Richard II, 1377.

Kings of England

LANCASTER: Henry IV, 1399: Henry V, 1413: Henry VI, 1422.

YORK: Edward IV, 1461: Edward V, 1483: Richard III, 1483.

TUDOR: Henry VII, 1485: Henry VIII, 1509: Edward VI, 1547: Mary, 1553: Elizabeth, 1558.

STUART: James I, 1603: Charles I, 1625: (Commonwealth, 1649), Charles II, 1660: James II, 1685.

NASSAU: William and Mary, 1689: Anne, 1702.

BRUNSWICK: George I, 1714: George II, 1727: George III, 1760: George IV, 1820: William IV, 1830: Victoria, 1837: Edward VII, 1901.

True American Civic History commences during the reign of George III. Previous to that our history was identical with that of England. The following is a brief sketch of the constitutional changes previous to the Declaration of Independence.

English a Mixed Race

While it is usual to speak of the English as a mixed race formed out of the fusion of the Britons, the Anglo-Saxons, the Danes and the Normans, yet one element has maintained a decided predominance; this element is the German or Teutonic, sometimes called the Anglo-Saxon. When the Anglo-Saxon invaders secured a foot-hold in Britain in the 6th Century they established institutions there, which still exist in modified form and form the basis of American civil life. While the English race owes its virility largely to its mixed character, yet England and the United States owe

their high position in the world of nations largely to the predominance of the elastic Anglo-Saxon institutions.

The Teutons brought to Britain three groups of people: *Eorl,* or noble: *Ceorl,* or free yeoman; and two classes of *Slaves,* those attached to the land and those attached to the person.

They divided England into

(1) Public or *Folcland,* and
(2) Private or *Bocland.*

In the former originated our American Public Domain, and in the latter the land held by private ownership. As the regal office advanced in dignity and power the King was substituted for the Nation and the Folkland became Crownland. The unit of the territorial division was the Tun, (township or vicus), occupied by a group of free owners, and governed by a *tun-gerefa,* (or elected head man), and its *tun-gemot,* or assembly of freeman. The tuns were grouped in *Hundreds,* (called *Wapentakes* in the counties settled by Angles), ruled by a *Hundred-man* and a *Hundred-gemot,* or Hundred-court. A group of a Hundred constituted the *Shire* and the united Shires made up the *Kingdom.*

Tun Hundreds

Shire

The Shire, meaning simply a *"share"* or a larger whole, called also *Scire,* was originally a small kingdom, one of the divisions of the original Heptarchy (or seven kingdoms) : it was ruled by a *Scir gerefa,* or Sheriff, conjointly with an *Ealdorman,* who was originally elected by a general assembly of the small kingdom. In 828 the many small Teutonic kingdoms dividing Britain were united by the conquest of Egbert of Wessex and then for the first time we have a united England. On the annexation of an under-kingdom to Wessex the ealdormanship usually became herditary in the old royal house and the sheriff became the special representative of the King. He was judicial president of the Scir-gemot and general executor of the law. After the Norman Conquest the word County, meaning the domain of a count or earl, was partially substituted for the word shire. England has today forty counties, Wales has twelve, Scotland thirty-three and Ireland has thirty-two.

County

Borough Manor

The Burh, or Borough, was simply a more strictly organized form of the township. "It had a ditch or mound instead of the quick-set hedge or 'tun' from which the township took its name, and as the 'tun' was originally the fenced homestead of the cultivator, the "burh" was the fortified house and court yard of the mighty man."

In these boroughs arose clubs among various classes called guilds of which the most famous were the merchant-guilds, or hansa, the ancestors of our modern trade-unions.

The English Manor means a landed estate in which the owner has certain judicial powers and rights of lordship.

Parish

The Teutons were heathen when they conquered England. When they were Christianized the church was made a state institution and people were taxed for its support. The country was divided, for taxing purposes, into parishes, having almost the same boundaries as the more ancient townships, so that the terms parish, town and manor came to have much the

same geographical meaning. Parish now has a political significance as well as an ecclesiastical one. In England and Wales there are 13,000 eccleciastical parishes and 15,000 civil ones, of more than 10,000 have the same boundaries for both eccleciastical and civil. In the southern colonies of America Parish was largely used for town, and in Louisiana Parish is still used instead of county.

Witenagemot

The Supreme Council of the English Nation, in Saxon times, was the *Witenagemot,* or Meeting of the Wise. This was a democratic body in theory, which every freeman had a right to attend, but aristocratic in practice and attended only by the selected nobility. It had most extensive powers, of which the following were the chief:

1. It had the power of deposing the King for misgovernment.
2. It had the power of electing the King, and it had a direct share in every act of government.
3. It acted from time to time as a Supreme Court of Justice both in civil and criminal causes. This last survives in the judicial powers of the English House of Lords and of the U. S. Senate.

William and Feudalism

The infusion of Norman blood and institutions into England by the coming of William, the Norman, in 1066 was a fusion rather than a conquest or absorption, a fusion facilitated by the common Teutonic ancestry of both the Saxons and the Normans. The constitutional changes were practical rather than formal. William appropriated the Folcland, and the forfeited Saxon estates and gave them out to his followers in a sort of feudal tenure, but with a marked difference from the feudal tenure of Continental Europe. While all the elements of Feudalism had long existed in England prior o the Conquest, yet as a system it was not established until William introduced it in a modified form. The two chief elements of Feudalism were: 1. Contract of mutual fidelity between lord and vassal, and 2. Tenure of land by military service. The immediate dependence of the vassal on his overlord weakened his allegiance to his supreme lord, the king, and to prevent this William demanded and received not only the sworn allegiance of his lords but every lord's free tenant or vassal was compelled to swear allegiance to the king personally. By this act England was made one and the government was centralized in the king.

Parliament

William of Normandy reorganized the Witenagemot as the Magnum Concilium, which was divided eventually by the Norman and Plantagenet Kings into a body of: 1. the officers of the King's household, from which evolved the (a) Privy Council and (b) the Courts of Justice. (Exchequer, King's Bench, Common Pleas, Chancery and Forest Courts); and into a body, sitting separately, of: 2. The Tenants in chief of the Crown, consisting of: the (a) First Estate, or Lords Spiritual; (b) the Second Estate, or Lords Temporal, together called later the House of Peers, or House of Lords; and (c) the Third Estate, consisting of deputies from the towns, which by accession of Knights of the Shires became in 1265, the House of Commons. The meeting of the tenants of the crown was called in 1246, and after, the Parliament.

The Parliament that sat in 1246 consisted of but the First and

the Second Estates, the Third Estate, (or House of Commons), did not sit as a part of Parliament until when in 1264 Simon de Montfort held Henry III a prisoner after the battle of Lewes a parliament was summoned in the name of the imprisoned King that differed from former assemblies in the fact that "two citizens from each city, and two townsmen from each borough or town, together with two knights or country gentlemen from each county were summoned to London to join the Barons and Clergy in their deliberations. Thus, in the winter of 1265 the House of Commons originated." This was only a revolutionary body and did not become a legal body until 1295. It assumed practically its present form of king, lords and commons in the reign of Edward I.

House of Commons 1265

The House of Lords includes the First and Second Estates, and consists of 580 members; these are divided as follows:

26 Lords Spiritual, 510 hereditary peers of the United Kingdom, (a number constantly changing), 28 Irish representative peers elected for life and 16 Scottish peers elected for each parliament. The modern House of Commons has 670 members; 495 for England and Wales, 72 for Scotland, and 103 for Ireland.

Members of the House of Commons are elected for a term of seven years by secret ballot. No recent House of Commons has lived its full term of seven years. Any full citizen is eligible except certain clergymen, certain returning officers and English and Scottish peers. Irish peers may be elected. Members serve without pay and the Commons elect their own speaker and other officers.

The House of Commons originates all bills for raising revenue and have more than equal authority with the House of Lords in law making. When the King gave the Minister (who must always be a member of the House of Commons) the power to create an indefinite number of peers to pass any bill (William IV to Earl Gray in 1832) it made the House of Commons supreme and since then it has been the real government of England.

Cabinet

The Executive head of the modern English government is the *Cabinet* which consists of the principal ministers of State. Members of Parliament, who have the "confidence of the House of Commons," are appointed to the Cabinet by the King.

When Parliament has voted against a measure of the administration the members of the old cabinet resign and the King sends for the recognized head of the majority party in the House of Commons and asks him to form a cabinet. The king then appoints and commissions those he names. These men are always chosen from both houses of parliament and the Cabinet must consist of not less than eleven and the following are always members:

1. The First Lord of the Treasury.
2. The Lord Chancellor.
3. The Chancellor of the Exchequer.
4. The Lord President of the Council.
5. The Home Secretary.
6. The Secretary for Foreign Affairs.
7. The First Lord of the Admiralty.

The following are usually members:

8. The Lord Privy Seal.
9. The Colonial Secretary.

10. The Secretary for India.
11. The Secretary for War.
12. The President of the Board of Trade.
13. The Chancellor of the Duchy of Lancaster. The following are sometimes members:
14. The Postmaster General.
15. The Chief Secretary for Ireland.
16. The President of the Local Government Board.

Ministry

The *Ministry* is distinct from the Cabinet in that it indicates some forty-six department chiefs and includes the members of the cabinet. The Cabinet grew up under William and Mary and acquired its independence of the Crown under the first two Georges who could scarcely understand English. It is now an established rule that the sovereign shall not attend the discussion of his advisers. Its meetings are secret and its members are bound by its decisions.

CHAPTER VI.

Early Struggles for Political Liberty.

Normans and Plantagenets

The Norman and Plantagenet Kings affirmed the right to tax the people; the lords and commons struggled against unequal and uncertain taxation; the tendency towards centralization tempted the kings to tyrannize over the lords and commons. When in need of money the kings gave in exchange for special tax levies special promises in writing called charters, which were species of contracts between the king and the people. When Henry I came to the throne in 1100 he issued a Charter of Liberties which was important as a "recognition by a practically despotic king of the ancient and lawful freedom of the nation and of the limitation of the royal power." This was a voluntary grant and its promises were soon broken: tyranny increased and the clash came in 1215 when the barons and clergy of England speaking for all of England compelled King John to sign Magna Charta.

Magna Charta

Of the sixty-three articles of this memorable document but three have imperishable value: the 14th, the 39th and the 40th.

39. *No free man shall be taken or imprisoned, or dissesed, or outlawed, or exiled, or anyways destroyed; nor will be go upon him. nor will we send upon him, unless by the lawful judgment of our peers, or by the law of the land.*

40. *To none shall we sell, to none will we deny or delay, right or justice.*

14. This provides in elaborate form how the National Council may be summoned, and it is there expressed how all dues from the people to the King shall be imposed only with the consent of the National Council, unless otherwise distinctly specified.

Tudors

After the War of the Roses had destroyed most of the ancient nobility, Henry VII, (the victor of Bosworth Field), brought the Tudor House to the throne. On account of the lack of the old nobility to organize opposition the kingly sway of Kings Henry VII and Henry VIII was the most nearly absolute of any time in the history of England. This supremacy was supplemented by the fact that all the Tudors were able sovereigns.

The Stuarts, the successors of the absolutism of the Tudors, did not have the Tudor executive genius. The new intellectual light of the Reformation and the Renaissance had become brighter until under the Stuarts it became focused in the Puritan element. The Puritans, in fighting for their religious rights, not nec-

essarily for religious toleration, against the Stuart doctrine that royal authority is of God and that no religion could be tolerated that looked to the people as the source of any kind of authority, became the unconscious champions of religious toleration and the rights of man. Stuarts

This freedom of thought found its expression in the House of Commons where the majority was soon organized for free speech in parliament, for the right to freely and publicly consider matters concerning the general welfare of the nation, for exemption from arbitrary imprisonment, for the right to be judges of the elections of the membership of the House of Commons, and above all, that there should be no legal taxation without the consent of the people as represented by the House of Commons. In brief they stood for the provisions of Magna Charta. James and Charles Stuart resented and resisted these claims, each summoning parliament to grant him money in taxes to carry on the government as he saw fit, and to each of which demands the Commons replied that grievances must be redressed before any grant would be voted. The kings raised money in every illegal way until Charles I found that he could raise no more and then was forced to appeal to Parliament. The Commons replied, in 1628, by drawing up a petition called the *Petition of Right,* which Charles agreed to but did not keep. It became, nevertheless, a part of the unwritten English Constitution, and provided: Petition of Right

1. Without an act of Parliament no one could supply the king with money, or be compelled to pay any tax for that purpose.
2. Soldiers and sailors could not be quartered on private homes.
3. No one could be punished or imprisoned contrary to law.
4. The people should not be subject to martial law.

The people came into their rights through the Great Rebellion and the Commonwealth, but the lack of wisdom of Cromwell's successor produced the peaceable Restoration. Then came moretyranny and misrule culminating in 1688 in the Revolution by which James II was forced to flee. When the Convention (practically a parliament) declared the throne vacant it drew up the *Declaration of Rights* reciting the arbitrary acts of the late king and calling to the throne William of Orange, through the right of his wife, Mary Stuart. The principles of the Declaration were set forth in a bill called the *Bill of Rights* which William and Mary signed and which by this act came to be the third "great bulwark" of the British Constitution. It provided: Declaration and Bill of Rights

1. Except by the consent of parliament the King could not maintain a standing army in time of peace.

2. Only by the consent of Parliament could the people be taxed.
3. Any and all subjects may petition the crown for redress of grievances.
4. Election of members of the Parliament must be free from all interference.
5. Parliament must frequently assemble and must enjoy absolute freedom of debate.
6. The king is forbidden to interfere in any illegal way with the execution of the law.
7. A Roman Catholic or a person marrying a Roman Catholic is henceforth not capable of inheriting the crown of England.

Three checks upon English despotism constitute, what Lord Chatham called: "the Bible of the English Constitution."

1. Magna Charta, 1215.
2. Petition of Right, 1628.
3. Bill of Rights, 1689.

The time was now ripe to take this English constitution to America and recast it into the greatest legal document drawn by the hand of man, the United States Constitution of 1789.

CHAPTER VII.

The Discoverers of America.

America owes its strength to the mixed character of its races, but its political solidarity and great assimilative power rest upon the elastic Anglo-Saxon institutions embodied in its marvelous constitution. Its hope for the future and its promise of ultimate world power rest on the constant infusion of strong, hardy, though ignorant, immigrants. This immigration has been one of the characteristic features of American history from the earliest times. The original inhabitants are rapidly passing and the soil is now possessed by the vigorous descendants of the hardy pioneers who have made America the land of push and promise. Our study of history naturally proceeds from discoverer to pioneer until permanent civilization is established.

Northmen

The first who came were the Northmen, who, in the ninth century (875), planted a colony in Iceland. Their sagas, or traditions, inform us that in 981, Eric, the Red, discovered a strange land to the far west which he named Greenland. In the year 1000 Leif Ericson, (the son of Eric, the Red), discovered a beautiful country which abounded in grapes and which he called Vinland. Though the Northmen were in touch with America until the 14th century no traces remain of them and we may disregard the Norse and other so-called discoveries.

Europe in 15th Century

The last half of the 15th century was one of great changes in Europe. England had given up her claims to the North of France and had grown strong at home; France under Louis XI, had attained about the same limits as today; Spain, under Ferdinand and Isabella, was the leading power in Europe; Portugal, shut off from the rest of Europe, naturally led in conquest and colonization out of Europe; the Pope was the head of the Church and the Church ruled all kings. The Portuguese had found Maderia, 1419, the Canaries, 1431; the Azores, 1448; Cape Verd Islands, 1434, and finally the way to India via Cape of Good Hope, 1487. In 1474 Toscanelli, in answer to a letter of inquiry, sent Columbus a map showing China to be only 52 degrees west of Europe, (it is 231 degrees.) This was the most intelligent scientific idea of that day.

To Christopher Columbus, born about 1446 in Genoa, is due the credit of trying, scientifically, to find a route to India.

He had come to the conclusion that the earth was round and that he could reach the Indies by sailing west 3000 miles (it is 9000 miles). He

had no money to fit out ships and when he asked for money from Genoa, Portugal, England and Spain, they refused it. Finally Queen Isabella supplied him with money enough to fit out three small vessels.

Columbus 1492

August 3, 1492, Columbus set sail, with 90 men, mostly criminals, in the Maria, Nina and Pinta. On Friday, October 12, 1492, thirty-three days after losing sight of land, and distant 3230 miles from Palos, he landed on Watling's Island (Bahama Group) and named it San Salvadore.

In September, 1493, Columbus set out for a second time with 17 vessels and 1500 men, founded Isabella in Haiti, discovered Porto Rico, Jamaica and some of the lesser Antilles. On his third voyage (1498) he reached South America and discovered the mouth of the Orinoco. He made a fourth voyage to Honduras and Panama in 1502, but never set foot within the present bounds of the U. S. and always believed that he had hit on the coast of Asia. The continent was called America from Amerigo Vespucci, a Florentine, who was first to describe it as a separate continent, and who was the pilot of the expedition of Pinzon and Solis, (1497) in the Gulf of Mexico, and who afterwards had charge of an expedition to Brazil under the King of Portugal, 1501. It was named America after Vespuccius by a German geographer, Waldseemuller.

Almost immediately after Columbus's first voyage, Pope Alexand VI, issued a bull dividing the non-Christian portion of the world into two parts: Spain to have all that she might discover west of a line 160 leagues west of the Axores; and Portugal all that she might discover east of it. In the following year the Pope consented to fix the line at 360 leagues west of the Cape Verde Islands. This did not please Henry VII of England so he sent an expedition under John Cabot, an Italian then living in Bristol, who landed somewhere near the mouth of the St. Lawrence, probably on Cape Breton, in 1497, and so Cabot was the first European since the days of the Northmen to set foot on the continent of North America. Accounts of the voyage are unsatisfactory, and those of the voyage of 1498, under the command of Cabot's son, Sebastian, are still more vague. Upon these discoveries England based her claim to colonize North America.

The Cabots 1497

French discoveries, like those of Spain, had very little to do with the history of the United States. Cortereal and Denys, both French, in 1501 and 1506, reached the coast of Nova Scotia and the Gulf of St. Lawrence. In 1524 Verrazano, a Florentine in the service of France, explored much of the northern coast as far north as Newfoundland. In 1534 Jacques Cartier discovered Prince Edward Island, sailed up the Gulf of St. Lawrence and as far as the present site of Montreal, fancying most of the time that he was rapidly nearing China.

Spain continued her search for gold. In 1513 Ponce de Leon discovered land on Easter and from the day named it Florida. The same year Balboa, climbing the mountains of the Isthmus of Panama, discovered an ocean to the South, which he called the South Sea (Pacific). The year 1519 was a most celebrated one in the history of Spain, for then the famous Cortez began his con-

quest of Mexico by far the richest and most advanced country of North America, and Magellan started from Spain to sail around the world by the way of South America and the Cape of Good Hope. He was killed in the Philippines, but his ship reached Spain and by the voyage proved two things:

Cortez and Magellan 1519

1. That the earth is round and can be circumnavigated.
2. That the lands discovered are not a part of Asia and lie across the pathway to that country.

In 1532 a Spanish force of 200 men and 60 horses, under Francisco Pizarro conquered Peru.

The Spaniards send several expeditions to explore the southern part of what is now the United States, and thus secured a first title to that region. 1. De Ayllon attempted to found a colony on Chesapeake Bay, 1526. 2. Narvaez, with a party, explored the land north of the Gulf coast, passed the mouth of the Mississippi, probably the first white man to see that river, and after the death of Narvaez the survivors reached the Pacific coast and thus were the first to cross the continent, 1528. 3. Ferdinando de Soto, with a force of 620 men, marched inland from the coast of Florida; and in 1541 penetrated to and then beyond the Mississippi. 4. In 1540, Coronado, incited by the tales of the survivors of Narvaez's expedition, of seven rich and wonderful "cities of Cibola," went northward from Mexico, but found the cities to be only Indian Pueblos, of which some are standing yet; he penetrated to the country of Quivira (Kansas) and this expedition led to the founding of Santa Fe in 1572. St. Augustine had been founded in Florida in 1565, (the oldest European settlement in the U. S.), as a military necessary to oppose the French Huguenot settlements of Ribault in South Carolina and Laudoniere at St. Johns, Florida. In 1565 Menendez destroyed the Huguenot settlements, and a French noble, Gourgues, avenged the disaster on the Spaniards of St. Johns.

Spaniards in the Interior

England at this time had several famous half-piratical sea captains, of whom Sir John Hawkins and Sir Martin Frobisher were famous, but the most noted was Hawkins's captain, Francis Drake, who was the first Englishman to circumnavigate the globe in a voyage in which his exploits against the Spaniards, especially in the Pacific, read like a fairy tale. On this voyage he discovered the west coast of California and claimed it for England as New Albion, 1578-1580.

CHAPTER VIII.

The Pioneers of Many Nations.

Europe in the 16th and 17th Centuries

The 16th Century marked the rise of the Spanish power in America, but the great battle for the supremacy was not to be fought in Spain. The 17th century opens with new contestants. The Dutch Republic (William of Orange) had broken the Spanish yoke in the Netherlands. France (Henry of Navarre) had freed herself from Spanish claims. With the destruction of the Armada (1588) England (under Elizabeth) became mistress of the seas. Spanish supremacy died with Philip II (1598). Each nation hastened to plant its colonies on our shores.

England's title to North America rests upon the voyage of the Cabots in 1497 and 1498.

First Attempts by England

In those days priority of discovery gave title to heathen lands. The first serious attempt to colonize by Englishmen was made by Gilbert in 1579-1583 and was a failure. In 1584 his half-brother, Sir Walter Raleigh, one of the most progressive men of his day, sent out an expedition to explore the coast of the Carolinas. The explorers returned with such an enthusiastic account of the country, that Elizabeth, the virgin queen, called it "Virginia." Raleigh sent a colony of 108 emigrants under Ralph Lane in 1585, but it ended in failure. It, however, introduced to Europe the potato and tobacco. He made a second attempt in 1587, under John White, but of this colony no trace could be found two years later, all had perished, including Virginia Dare, the first child born to English parents on American soil. No further attempt was made until 1606. At this time England had a restless population. There was a religious discontent, owing to the repressive measures of the Stuarts. While the upper classes were prosperous the wool trade with Holland and Flanders encouraged sheep raising in England and vast tracts of tillable land were devoted to sheep pastures and thus threw many out of employment and the people were in great distress for food and this distress produced lawlessness. To relieve this condition of the working classes and to gratify the commercial spirit, the great merchants of the cities naturally turn to colonization. Out of this economic condition all of the Southern American Colonies were evolved, with the exception of Maryland. New England, Pennsylvania and Maryland grew out of the religious disturbance which was identical in time with the above social conditions.

The London and Plymouth Companies

Through the influence of several prominent Englishmen, seconded by Sir John Popham, chief-justice of England, and Sir Ferdinando Gorges, King James I, granted a charter to a company having two sub-divisions: I. The London Company, composed of London merchants, and II. the Plymouth Company, composed of traders and country gentlemen in the West of England, having headquarters at Plymouth. Under this grant, known as "King James Patent of 1606," was given the land "commonly called Vir-

ginia" between 34 degrees and 45 degrees, north latitude, extending inland one hundred miles. The Plymouth Company might make settlement anywhere between 38 degrees and 45 degrees; the London Company between 34 degrees and 41 degrees. Neither was to make a settlement within 100 miles of one already made by the other. This patent proved unsatisfactory, and a new charter was granted to the London Company, called the "Virginia Charter of 1609," bounding it to that space of land between a point 200 miles north and south of Old Point Comfort (34 degrees to 40 degrees), extending west and northwest throughout from "sea to sea." Under the James Charter of 1606 was made the first permanent English settlement in 1607 at Jamestown by the London Company. In 1620 the king reorganized the Plymouth Company as the Plymouth Council for New England, extending their charter limits from the line of the Virginia Company (40 degrees) on the South to the 48th degrees on the North from "sea to sea." Under this charter the Pilgrims, separatists from the Church of England, landed at Plymouth in 1620. The only attempt at settlement made by the Plymouth Company was made May, 1607, under the auspices of Popham, on the Kennebec in Maine, but one severe winter broke it up and the company never sent another. The London Company in December, 1606, sent 120 emigrants, who, on May 3, 1607, selected a peninsula on the James River for settlement and founded Jamestown.

Jamestown 1606

The beginnings of Virginia are a terrible tragedy of famine and death; of 630 early colonists 570 died in the first two and one-half years. Captain John Smith was the only energetic man among them and he pacified and fought the Indians, found supplies, explored the country and was the principal man in the little government. In 1611 Dale was appointed governor and in March, 1612, the company secured a fresh charter, which gave it more powers of self-government. In 1619 the colony was granted a representative assembly and in the same year negro slavery was unfortunately introduced. The development of sovereignty in the colony offended King James who in 1624 annulled the company's charter and Virginia became a Royal Colony.

A company of "Separatists," dissenters from the Church of England, to escape persecution, fled to Holland, where they remained eleven years. They finally determined to remove to America, where they might follow their own ideas of worship and government. These Pilgrims, as they afterwards were called, set out for Southampton and from there to America in two vessels and one of them proving unseaworthy they put back and about a hundred Pilgrims again started in the ship Mayflower on Sept. 6, 1620, for the Hudson River country under a patent from the London company, but through the treachery of the ship's captain they were landed just off Cape Cod, within the territory of the Old Plymouth Company, from which they had no patent. Owing to the latter

Plymouth 1620

fact they drew up a brief "compact" to organize a "civil body politic" on board the Mayflower, November 11, 1620, before landing and chose John Carver as governor. After exploration they decided to settle at Plymouth and landed December 11. 1620.

Plymouth was practically independent, never having had a charter or a royal governor until it was merged in 1692 with Massachusetts Bay. In 1628 John Endicott and a small party of Puritans (who differed from the Pilgrims in not having altogether separated from the Church of England, but like the Separatists, disliked certain forms of worship), settled at Salem and thus laid the foundation of the colony of Massachusetts Bay. They came under a patent from the Council for New England. and in 1629 were given a charter by Chas. I. In 1630 a thousand people crossed to Massachusetts Bay owing to the company itself moving over to America, with officers, charter and all its powers and thus the Puritans obtained and perpetuated an almost independent colony in America. John Winthrop was elected governor and was twelve times re-elected. Among the other leaders were Endicott, Vane, Cotton and Hooker.

France in America

FRANCE established her first permanent colonies at Port Royal, in Acadia (Nova Scotia), 1604: Quebec, 1608: and Montreal, 1611.

These settlements secured the control of the Gulf of St. Lawrence and the highway to the interior of the continent. Prevented by the hostile Iroquois nation from penetrating south of, or following, the Great Lakes, they ascended the Ottawa, crossed its portage by Lake Nipissing to Lake Huron as early as 1615, (five years before the landing of the Pilgrims). The next few years led to the discovery of Lake Superior, 1629, and Lake Michigan, 1634.

The real founder of French power in Canada was Samuel de Champlain, who was one of the most notable men of his time, of high character, a Catholic, well educated, far-sighted and prudent. He made his first settlement in Quebec in 1608. Jesuit missionaries came over in 1611 and supplanted his wise work. In 1673 Marquette and Joliet discovered the northern part of the Mississippi and descended as far as the Arkansas. In 1669 LaSalle discovered the Ohio and the Illinois, and in 1682 reached the mouth of the Mississippi.

The Dutch

HOLLAND in 1609 sent out the English sailor, Henry Hudson, who discovered the Hudson River and 1614 the Dutch settled on Manhattan and founded New Amsterdam and in 1624 had established trading posts as far north as Albany and as far south as Fort Nassau (near Philadelphia).

They called the Hudson the North River, the Delaware the South River and the country between New Netherlands. In 1664 Chas. II seized New Amsterdam (population then 1600) and turned over the newly acquired territory to his brother, James, of York, who became the Lord Proprietor, and changed the name of the land to New York. By this conquest the English also came into control of the Swedish settlements on the Delaware as the Dutch had conquered the latter in 1655. Thus did English dominion begin in New York, New Jersey, Pennsylvania, and Delaware and by one stroke she swept aside her rivals (except France) for territory in the United States.

Swedes

The SWEDES first settled at Fort Christina (Wilmington, Del.) in 1638

When New England pushed the Dutch back from the Connecticut River in 1650 to the Hudson Valley the Dutch retaliated by seizing the Swedish settlements on the Delaware and Swedish rule in America disappears in 1655.

CHART OF DISCOVERIES.

THE EAST.

1492. Columbus. Islands off coast. Basis of Spanish claims.
1493. Columbus. Islands off the coast.
1497. John Cabot. North America. Cape Breton. Basis of English claims.
1497. Pinzon and Solis. Mexico to Chesapeake Bay.
1498. Sebastian Cabot. Labrador to Cape Cod.
1501. Cortereal. Nova Scotia. French.
1501. Vespucius. Explores Brazilian coast.
1513. Ponce de Leon. Discovers and names Florida.
1524. Verrazano. Basis of French claims.
1534. Cartier. French.
1519. Cortez lands on Mexican coast.
1523. Narvaez. Florida to Pacific.
1543. De Soto. The Mississippi.

THE INTERIOR.

1519-1521. Cortez conquers Mexico.
1532. Pizarro in Peru.
1540-1542. Coronado. Gila River. Rio Grande. Colorado.
1539-1541. De Soto. Florida, Georgia, Alabama, Mississippi.
1565. St. Augustine founded.
1582. Santa Fe founded.
1513. Balboa. Discovers Pacific.

THE WEST.

1521. Magellan. Sails around South America into Pacific.
1578-1580. Drake. Sails around South America, up coast to Oregon and circumnavigates globe.

CHAPTER IX.

Permanent Settlements.

It will be noticed that by "King James Patent of 1606" the London Company received authority to settle between 34 and 41 degrees of latitude and the Plymouth between 38 and 45 degrees, in other words, London Company between Cape Fear and the Hudson; Plymouth, between the Rappahanock and the Bay of Fundy. One grant thus overlapped the other by three degrees and in this strip the first company making a settlement would receive title to it. But in this middle strip or zone neither company made a settlement, so that the coast naturally divides into three zones: the northern, (from Fundy to the Hudson), settled by the Plymouth Company, or rather by its successors; the Middle Zone, settled at first by the Dutch and Swedes, and then coming to England by the conquest of 1664; and the southern zone, (between the Rappahanock and Cape Fear), settled by the London Company.

The Three Zones of Settlement

Southern Zone: Virginia, Maryland, North Carolina, South Carolina and Georgia, were formed out of the grant to the London Company by the king through the following changes:

The Southern Zone

1. Settled in 1607 and all called Virginia.
2. In 1632 the new colony of Maryland was formed out of the northeastern part of Virginia, which was granted by Chas. I, to Geo. Calvert, Lord Baltimore, as a proprietory colony, and was settled by Leonard Calvert in 1634 at St. Mary's, as a refuge for persecuted Roman Catholics. Annapolis was founded in 1683 and Baltimore in 1729.
3. In 1665 Chas. II took off the southern part of Virginia, the present state of North Carolina, added it to the present territory of South Carolina and Georgia, and called the whole Carolina, and granted it to eight proprietors. It was settled largely by Virginians and Scotch.
3. In 1729 the proprietors sold Carolina to the king and it was then divided into two royal provinces, North Carolina and South Carolina.
4. In 1732 the new and last colony of Georgia was formed out of the territory of South Carolina. It was founded by James Oglethorpe as a refuge for poor debtors. It was very largely settled also by Italians, Moravians, and Scotch, who came there to escape persecution.

The Northern Zone

Northern Zone: The New England Colonies formed from the Plymouth Company's grant were at first seven: Plymouth, Mass Bay, Connecticut, New Haven, Providence, Rhode Island, and New Hampshire.

Plymouth was united in 1692 with Mass. Bay, New Haven in 1662 with Conn., and Providence in 1644 with Rhode Island. There were thus finally four New England colonies: Mass. Bay, New Hampshire, which was granted in 1622 to Gorg s and Mason, but was settled largely by people from Massachusetts, and became a royal province in 1679 (and 1691).

Connecticut, settled by emigrants from Boston (Windsor, Weathersfield, and Hartford), in 1635, who in 1639 drew up the first written constitution; and by a company from England under Davenport and Eaton (New Haven, Milford, Guilford and Stamford), in 1638, who tried to form a theocracy; in 1662 a charter was granted which formed the constitution of Conn. until 1818; and Rhode Island, founded by Roger Williams, in 1636, (Providence), and Anne Hutchinson in 1638 (Rhode Island); charters were granted in 1644 and 1663, which latter charter was the only constitution of Rhode Island until 1842.

Middle Zone: New York, New Jersey, Pennsylvania and Delaware were really conquered soil, taken from the Dutch.

New Netherlands flourished from 1626 to 1664 under the Dutch, despite the rather unwise rule of four Dutch governors, Minuit, Van Twiller, Kieft and Stuyvesant. Under Minuit the patroon system was introduced; any one who would plant a colony of fifty persons was allowed to select lands sixteen miles frontage on one side or eight miles on each side of a navigable river and extending as far into the interior as the situation of the occupiers will permit; over this land and people the patroon was given feudal sway.

When Chas. II took the land in 1664 and changed the name to New York he granted the territory (which then included (Eastern) New Lork, Long Island, Martha's Vineyard, Nantucket, New Jersey and Delaware, and a doubtful title to Penn.), to his brother James, Duke of York, who at once sent out Col. Nichols as governor. In 1685 James became King James II and he made New York a royal colony. The Dutch again seized the colony in 1673 and held it for a little over a year, and when it was restored to the English Edmund Andros was appointed James' governor. In 1683 the colonists were granted the right to a representative assembly. The English rule of New York was almost always bad, but the province prospered in spite of it.

The Middle Zone

On receipt of his grant in 1664 from Chas. II, James sold to Lord John Berkeley and Sir John Carteret that portion between the Hudson and Delaware extending to 41 degrees north latitude, to be known as New Ceasarea (New Jersey). They divided it (by a line which in 1787 ran from Little Egg Harbor to about six miles north of the Delaware Water Gap) into East and West Jersey. The first settlement was Dutch, in 1617, at Bergen and the first English settlement was Puritan in 1664 at Elizabeth. In 1676 Berkeley sold his share (West Jersey) to Quakers: Cartaret retained East Jersey. After the death of Cararet the Quakers purchased East Jersey in 1682 and it was all encorporated with Pennsylvania under Penn. In 1702 New Jersey became a Royal province.

In 1681 William Penn, the influential leader of the Quakers, obtained from Chas. II, in payment of a debt which the British government owed his father, a grant of the territory which is now the state of Pennsylvania. Penn established a Quaker colony but he did not shut out persons of other religious beliefs nor did he allow any religious persecution. In 1682 he bought from the Duke of York what is now the State of Delaware and added it to his colony.

The Swedes and the Dutch had already settled in the territory, principally in Delaware; Chester, (then called Uplandt), being founded in 1643. Penn at once sent out a company of emigrants and himself came over in 1682 and met the Indians under a great elm-tree by the Delaware, bought the land from them, and made with them a treaty of peace which was not broken for seventy years. In 1683 he laid out Philadelphia. Penn's plan of government, with some changes, remained in force until 1776. Delaware was settled by the Swedes in 1638 and conquered by the Dutch in 1655. It passed with New Netherland to the Duke of York who sold it to Penn in 1682. Its people were allowed a separate assembly in 1703 but had the same governor as Pennsylvania; and were considered a part of Pennsylvania until the Revolution.

The population had grown from nothing in 1606 to about 1,260,000 in 1750. In 1688 the colonies had about 200,000 inhabitants; in 1714 about 435,000; in 1727 about 600,000; and in 1750 about 1,260,000. Bancroft divides the population in 1754 as follows: New England, 436,000; middle colonies 380,000; southern colonies 609,000 (222,000 slaves); total, 1,425,000.

The Colonies in General

At first the colonists were busied only in agriculture, (tobacco, rice, indigo and cereals), hunting and fishing. As they grew richer they turned to manufacturing and commerce. This did not please the English merchants and in 1651 Parliament passed the first of what were called the Navigation Acts which forbade the colonies to trade with any other country than England or to receive foreign ships into their ports. They were not well enforced for many years and when they were enforced strictly they helped greatly to bring about the Revolution.

The Colonial Governments

The Colonial Governments were of three kinds:

1. The Charter Colonies, Massachusetts, Rhode Island, and Connecticut, in which the governors were elected by the people, (though the governor was appointed by the Crown in the later history of Massachusetts.
2. The Proprietary Colonies, Maryland and Pennsylvania (including Delaware), in which the governor was appointed by the proprietor.
3. And Royal (or Crown) Colonies, New Hampshire, New York, New Jersey, Virginia, North Carolina, South Carolina, and Georgia, in which the governors were appointed by the king and there were no charters. The assembly was elected from counties or towns and in conjunction with the governor and council (or in some cases an upper house, evolved from the governor's council) made laws and appropriated the public funds. and audited the accounts.

EARLY SETTLEMENTS—TEMPORARY.

1579-1582 Gilbert.
1584-1587; Raleigh and Roanoke Island.

PERMANENT—SOUTHERN ZONE.

1606 London Co. and Plymouth Co.
1607 Virginia settled at Jamestown.
1609 New grant to London Co., "sea to sea charter."
1632 Maryland.
1663 Carolina.
1729 Carolinas separated
1732 Georgia.

NORTHERN ZONE.

1620 Pilgrims at Plymouth.
1622 Mason and Gorges in New Hampshire.
1628 Massachusetts Bay Colony.
1629 Maine set off from New Hampshire.
1636 Roger Williams founds Providence.
1638 Anne Hutchinson founds Rhode Island.
1639 Windsor, Hartford and Wethersfield form Connecticut Colony.
1643 New Haven, Milford, Guilford and Stamford form New Haven Colony.
1644-1663 Rhode Island charters.
1622 Connecticut and Rhode Island united.
1691 Plymouth and Maine united to Massachusetts.

MIDDLE ZONE.

1609 Hudson sails up the Hudson River.
1614 New Amsterdam settled.
1639 Swedes on the Delaware.
1664 English seize New Netherlands.
1674 East and West Jersey.
1702 New Jersey re-united.
1681 Penn's charter.
1682 Delaware granted to Penn.

CHAPTER X.

The Indians.

When the Europeans came they found America peopled with red men whom they called (erroneously) Indians. The Indians lived in tribes with practically no institutional life except that of the family and the only virtues deemed worthy of imitation were of a martial order. The hero of the war-path was likewise the hero of the council-fire and the village community. Their crude society was democratic and chiefs were generally elected and the council consisted of the male members of the tribe. Although in possession of a magnificent domain they practically did nothing to improve it except to assist the natural richness of the soil to grow maize and tobacco.

Social Conditions

The Indian population was divided into Eight Great Families:

1. Algonkins; found throughout the eastern portion of the country, from Nova Scotia to North Carolina and West to the Mississippi, numbering about 90,000, about one-third of the whole Indian population, of which the chief tribes were: Powhatans (Va.), Lenape, (Penna.), Mohegans, Pequots, Narragansetts, (N. E.), Shawnees, (Ohio Valley), Pottawatomies, Ottawas, Chippewas and Sacs-and-Foxes of the country about the Great Lakes.

The Eight Families

2. Iroquois, (or Five Nations), in western and central New York; Senecas, Cayugas, Onondogas, Oneidas and Mohawks, and also the Hurons (Wyandots), Eries, Cherokees and the Tuscaroras. (The Cherokees are sometimes classed as Muskokis).

III. Muskokis, (Moskaki, Muskhogee), of the south and south-eastern part of the United States, extending west to the Mississippi, embracing the Creek, Seminole (meaning "wanderers," really refugees from other tribes, chiefly Creek), Choctaw, Chickasaw, Uchees and several other small tribes.

IV. Dakota (h)s, or Sioux, west of the Algonkins and extending from the Saskatchewan River to Southern Arkansas and from the Mississippi to the Rocky Mountains.

V. Shoshones, or Snakes; forming six groups extending over parts of Idaho, Utah, Wyoming, Oregon, Nevada, Montana, Texas, California and New Mexico.

VI. Athabascas, inhabiting Alaskas, Canada and part of Oregon.

VII. Yumas, in Arizona and California.

VIII. New Mexican Pueblos, speaking six languages and inhabiting twenty-six villages (pueblos).

RELATIONS OF THE EUROPEANS WITH THE INDIANS.

The Spaniards treated the Indians with great cruelty and made it the rule to enslave those who survived the shock of battle. They soon exterminated, by massacre or hard labor, the Indians of the islands and tropical coasts, and supplied the loss of workers by introducing slaves from Africa.

The French flattered, petted and treated with ceremonial respect the tribes with which they first came in contact and Indian women often became the wives of Frenchmen. The early alliance with the Huron-Algonkins caused Champlain in 1609 to make common war with the Hurons upon the Iroquois, which made the Five Nations the hereditary foes of France and thus saved New England and compelled France to seek the interior for colonization.

The policy of France was uniformly kind; that of the English differed with the policy of each colony; the English treated the Indians with scorn and the Indians reciprocated with a hearty hate, except in the case of the relations with Penn and the Quakers. This is how it happened that the French could "sprinkle the West with little posts far from Quebec and surrounded by the fiercest of tribes while the English could only with difficulty defend their frontier" which was again and again attacked. The chief Indian wars previous to the contest between France and England for the control of the continent were as follows:

European Policy Towards Indians

In Virginia two massacres of the whites were planned by Opechancanough, one in 1622, in which 350 were killed and the other in 1644 in which 300 were slain. This chief was the successor of Powhatan and with his death trouble in Virginia (proper) ceased.

In 1636 the Pequots, who dwelt along the Thames River in Conn. made war on the settlers. Ninety men from Conn., 20 from Mass. and some Mohegan Indians marched against the Pequots and killed all but five of the warriors in the stockade near Stonington, Conn.

In 1675 the Narragansetts, Nipmucks and Wampanoags, led by King Philip (son of Massasoit) and Canonchet, rose upon the English and a dreadful war followed. When it ended in 1678 the three tribes were annihilated and hardly any Indians except the friendly Mohawks were left in New England. Out of ninety English towns twelve had been destroyed and forty had been the scene of fire and slaughter. At the same time there was a brief uprising of the Indians in Maryland, which was quickly put down.

In 1711 North Carolina had trouble with the Tuscaroras and eventually drove most of them away to New York where they joined the Five Nations forming "Six Nations." In 1715 South Carolina had trouble with the Indian allies of France and Spain but the power of the Indians was broken with help of Virginia and North Carolina.

Indian hostility, until 1763, was largely inspired by the French; from 1763 to 1800 by the English. Since 1800 Indian wars have been due to American avarice, or to ignorance of Indian rights and character.

CHAPTER XI.

The Intercolonial Wars

France very early began to plan for universal American dominion. The struggle for supremacy in Europe between the Latin and the Teuton was transferred to American soil in 1689. The English Revolution drove James II to Louis XIV of France for safety. William of Orange (through Mary his wife), the inveterate enemy of Louis XIV, became king of England and war at once began in Europe between France and England.

This first real struggle in America of white men was called King William's War, (1689-1697), in which the Indians of Canada and Maine aided the French and the Five Nations the English. The French destroyed most of the frontier settlements in Maine and New Hampshire and in 1690 burned the New York village of Schenectady. In the same year a Massachusetts fleet under Sir William Phipps captured Port Royal (Nova Scotia) and there was an unsuccessful attempt to conquer Canada. The treaty of Ryswick ended the war and gave each party the same territory as before the war.

King William's War 1689-1697

In 1702 England declared war against France and Spain and the contest was called in America Queen Anne's War (1702-1713). England failed in an attempt on St. Augustine and France and Spain in an attempt on Charleston. The same frontier massacres in the North occurred as in the previous war and Port Royal was again captured, in 1710, and the name changed to Annapolis. In 1711 there was another unsuccessful attempt on Quebec. The treaty of Utrecht ended the war in 1713 and by it England gained a region about Hudson's Bay, also Newfoundland and Acadia (Nova Scotia).

Queen Anne's War 1702-1713

In 1744 war again occurred between France and England and it was known in America as King George's War. The most important event in the war in America was the capture of Louisburg, called the Gibraltar of America, from the French by William Pepperrell and the new England militia. The treaty of Aix-la-Chapelle in 1748 closed the war and by it all territory was restored as before the war and Louisburg was given back to France.

King George's War 1744-1748

The French and Indian War (1754-1763) was at first entirely an American War; it did not extend to Europe until 1756, when it merged into the Seven Year War. The Ohio Company obtained a grant from the English king and prepared to form settlements

and open trade in the Ohio Valley; the governor of Canada sent troops across the Lake and built forts in the disputed territory. Governor Dinwiddie of Virginia sent Washington to require the French to leave the Ohio Valley. On the refusal of the French the Virginians determined to build a fort near the present site of Pittsburg; this was captured and completed by the French and called Fort Duquesne and when Washington was sent against it he was compelled to surrender a temporary fort called Necessity, July 4, 1754.

In 1755 four expeditions were planned:

1. Against Fort Duquesne.
2. Against Nova Scotia.
3. Against Crown Point, and
4. Against Niagara.

Braddock, in charge against Duquesne, was disastrously defeated at Monongehela. Acadia (Nova Scotia) was easily captured and the Acadians transported. Crown Point was not captured though a successful battle was fought on Lake George and Fort Wm. Henry was built. The Niagara expedition was a failure.

1756 and 1757 were disastrous for the English. In 1756 Montcalm captured Oswego and the next year took Fort William Henry.

In 1758 William Pitt was dominant in the English ministry and three expeditions were proposed:

French and Indian Wars 1754-1763

1. Against Louisburg, which was successful.
2. Against Ticonderoga and Crown Point, which was beaten back by Montcalm, and
3. Against Duquesne, which was finally captured, after the French had abandoned and burned it.

In the same year Fort Frontenac was captured by Col. Bradstreet.

In 1759 there were three expeditions planned for a joint occupancy of Canada:

1. By way of Niagara, which was captured by Johnson.
2. By Ticonderoga and Crown Point which were captured by Amherst.

After these successes Johnson and Amherst did not advance to corporate with the fleet and army before Quebec, but the success of

3. The expedition against Quebec was entirely due to the valor and skill of James Wolfe.

Quebec was captured after a battle on the Plains of Abraham, September 13, 1759. In 1760 Montreal surrendered to Amherst and with it all Canada.

The war ended with the peace of Paris in 1763, by which France ceded all territory east of Mississippi, except two fishing stations south of Newfoundland, and the island and town of New Orleans. This island and town with all the French possessions west of the Mississippi France ceded to Spain; Spain ceded Florida to England.

In 1763, a great Ottawa chief, Pontiac, planned the most formidable and widespread plot ever divised by an Indian brain. He tried to unite all the tribes west of the Alleghanies to drive the English from the posts formerly occupied by the French. Out of twelve military posts the Indians took eight and massacred the garrisons. Niagara, Pittsburg and Detroit remained, though the latter narrowly escaped. In 1765 Pontiac was forced to beg for peace. It was the last general attempt by the Indians until the revolt of Tecumseh in 1811.

OUTLINE OF INTERCOLONIAL WARS.

King William's War; Jacobite War; 1689-1697; Treaty of Ryswick, Conquests restored.

Queen Anne's War; Spanish Succession; 1702-1713; Treaty of Utrecht; England gains territory.

King George's War; Austrian Succession; 1744-1748; Treaty of Aix-la-Chapelle; Conquests restored.

French and Indian War; Seven Years' War; 1754-1763; Treaty of Paris; France loses almost all.

CHAPTER XII.

Causes of the Revolution.

The population of the colonies was about 2,000,000 in 1760 and the people had become comfortable and prosperous. Taxes in Great Britain were now very heavy and the English people saw the colonies voting large sums of money to carry on the war and they at once began to think of taxing the colonies. The acquisition of Canada made it necessary for England to provide for its defense and government.

Three new provinces were established; Quebec, East Florida and West Florida, and by the same proclamation establishing these provinces a line was drawn around the head waters of all the rivers which flow into the Atlantic and the colonists were forbidden to settle to the west of it. This region was set apart for the Indians and called the Indian Country. This country was to be defended by 10,000 royal troops, the cost of whom was to be paid partly by the crown and partly by the colonies.

Proclamation Line

The share of tax of the colonies was to be raised:

1. By enforcing the old trade and navigation laws by "writs of assistance" and by taking the right of jury trial from smugglers.
2. By a tax on sugar and molasses brought into the country, and
3. By a stamp tax.

The Stamp Act passed in 1765 and went into effect the same year, taxing all legal paper. Questions and disputes under it were tried without jury. Heretofore all revenue had been raised through local legislatures and the colonists were highly indignant at this taxation without colonial representation in parliament.

Stamp Act

The Virginia legislature at once passed some fiery resolutions and Massachusetts followed with a call for a Congress, called the *Stamp-Act Congress*. This Congress met in New York with delegates from all the colonies except New Hampshire, Virginia, North Carolina and Georgia, and in which the delegates of six of the nine colonies represented signed a Declaration of Rights and Grievances, which stated:

Congress

1. That Americans were British subjects.
2. British subjects paid no taxes without legal right to a voice in laying them.

3. Americans were not represented in Parliament.
4. Parliament therefore could not tax America.

Riots resulted and boycott of British goods commenced. Then Parliament repealed the Stamp Act but declared its right to tax the colonies "in all cases whatsoever." The next year (1767) Parliament passed the Townshend Acts, (three of them), the first compelled New York to provide for the royal troops, the second established customs commissioners at Boston to enforce the Navigation Acts and the third laid taxes on glass, red and white lead, painter's colors, paper and tea, (three pence a pound on tea).

This produced renewed riots, boycotts and protests to King and Parliament. On March 5, 1770, the British troops fired on a crowd of rioters in Boston and killed five. Tea sent to this country was returned and in some cases destroyed, especially in the case of the "Boston Tea Party".

Parliament then passed five repressive laws (called the "five Intolerable Acts"):

Five Intolerable Acts 1770

1. The Boston Port Bill, closing the port of Boston and moving the custom house to Marblehead.
2. The Transportation Bill, empowering the governor to send to England or another colony for trial anyone accused of murder in resisting law.
3. The Massachusetts Bill taking the old charter from Massachusetts and making it a military royal colony.
4. The Quartering Act, legalizing the quartering of troops on the people.
5. The Quebec Act, which added to Quebec the area west of the Alleghanies north of the Ohio and east of the Mississippi, and in this area favored the Roman Catholic religion and established the French civil code.

Continental Congresses 1774-1775

The colonies then established "committees of correspondence" which arranged for the meeting of a congress at Philadelphia, September 1, 1774. On September 5, fifty-five delegates representing all the colonies except Georgia, met at Carpenters Hall, Philadelphia, in the *First Continental Congress,* which issued addresses to the people of the colonies, to the Canadians, to the people of Great Britain and to the King and another Declaration of Rights. This Congress adjourned October 26, 1774, but before adjourning ordered another Congress to meet May 10, 1775, to take action on the answer to the petition to the King. Before this *Second Continental Congress* met war had begun.

Concord April 19, 1775

The provincial assembly of Massachusetts had ordered 20,000 "minute men" to be enrolled. The Royal Governor Gage in Boston began to fortify Boston Neck. He heard of military stores collected at Concord and sent 800 men to destroy them. On the

way the British regulars passed through Lexington and there on April 19, 1775, they encountered sixty minute men and Major Pitcairn ordered his men to fire on them killing eight of the minute men. The British then marched to Concord, destroyed the supplies and prepared to return to Boston. This return first became a retreat, then a rout and then a running battle, when 900 fresh troops were met at Lexington. The British lost 273; the Americans 88. The Americans now besieged Gage and his British in Boston, the American Revolution had begun and with it the *National History of the United States of America.*

Ethan Allen of Vermont, without waiting for anyone's authority, surprised and captured the great fortress of Ticonderoga, May 10, 1775, with a great store of powder and munitions, much of which was used later in the siege of Boston. This capture opened the road to Canada.

OUTLINE OF THE CAUSES.

Provinces of Quebec, East and West Florida formed.

10,000 royal troops to be partly supported by colonists for protection of colonies.

Taxation without representation:

1. Navigation acts enforced.
2. Tariff on sugar and molasses.
3. Stamp tax.

1765. Stamp Act passed; resisted; Stamp Act Congress; six colonies at New York. Declaration of Rights and Grievances.

1766. Stamp Act repealed and "Declaratory Act" passed.

1767. Three Townshend Acts.

1770. Boston massacre.

1774. Boston Port Bill; Quebec Act; Massachusetts Bill; Quartering Act; Transportation Bill.

1774. September 1, First Continental Congress; Addresses and Declaration of Rights.

1775. April 19, Lexington and Concord.

1775. May 10, Second Continental Congress.

CHAPTER XIII.

The Revolution

The SECOND CONTINENTAL CONGRESS met at Philadelphia May 10, 1775, and assumed the authority of a general government of the colonies. It found the provinces in a state of war and adopted the army around Boston as the Continental Army and appointed Washington commander-in-chief.

The war naturally divided itself into three parts,

I. Lexington, April 19, 1775, to the Declaration of Independence, July 4, 1776.

II. Declaration to Invasion of Georgia. War in North.

III. Invasion of Georgia to close of war. Chiefly in South.

I. About ten days before Washington reached Cambridge to take command the Americans fortified Breeds Hill, overlooking Boston. On June 17, 1775 Gen. Howe and over a thousand British charged twice on the works and the third time drove the provincials, owing to the exhaustion of the American ammunition, with a loss to the British of over a thousand men and to the Americans of half as many. This battle of (miscalled) **Bunker Hill** proved that British regulars were not invincible and that Americans could fight.

The British were then besieged at Boston until Gage was succeeded by Howe and Boston was evacuated March 17, 1776.

War in the North

Two expeditions were sent against Canada in 1775, one under Schuyler and Montgomery which captured Montreal and advanced down the St. Lawrence and the other under Benedict Arnold, who with great difficulty went up the Kennebec through Maine and joined Montgomery at Quebec. The assault was at first a success but on the death of Montgomery and the wounding of Arnold the Americans withdrew and were compelled to leave the country in 1776.

As the royal governors were driven from the colonies and took refuge on British warships many of them perpetrated parting acts of violence. Dunmore of Virginia burned Norfolk January 1, 1776, then the richest town in Virginia, and the navy bombarded and burned Falmouth (Portland) Maine.

Howe left Boston for Halifax, and Washington, who felt sure that the British would next attack New York, moved his army to the Brooklyn Heights in April, 1776. Before the evacuation of Boston, Clinton had left Boston and with a powerful squadron from England under Parker attacked Charleston on June 28, 1776. The palmetto fort of Sullivan's Island under Moultrie and a few hundred men so effectually repelled the fleet and army that for two years and a half the South was free from the invader.

II. The king had declared the colonies to be rebels and had hired 17,000 mercenaries from Hesse Cassel to help crush the rebellion. This and the closing of the American ports drove the belligerent provincials into rebellion and independence. In June Richard Henry Lee of Virginia introduced in Congress (then in Phila.), a resolution declaring: "These United Colonies are, and of right ought to be, free and independent States." This resolution was adopted and a committee of five was appointed to draw up a fitting declaration. This committee consisted of Jefferson, John Adams,

Declaration of Independence

Franklin, Sherman and Livingston, and agreed to the Declaration of Independence as drawn by Jefferson. Congress adopted the report and proclaimed the Declaration July 4, 1776. This declaration inspired the French revolution of 1789 which evolved Bonaparte, who overturned the Holy Roman Empire, which displaced Austria, made Prussia supreme in Germany, created the German empire of 1870, made England mistress of the seas (Trafalgar), and thus produced the commonwealth of Australia and made an Anglo-Saxon dominance of the world possible. It is truly the latest bulwark of human liberty.

England now determined to separate New England from Virginia and the South. New York was the key of the situation and in June, 1776, Howe and his army from Halifax landed on Staten Island and the real struggle commenced. Washington had about 20,000 men, poorly equipped and drilled, while Howe possessed over 30,000 well trained soldiers. With this force Howe nearly surrounded 5,000 Americans under Putnam near Brooklyn and completely defeated them in the battle of **Long Island**; 3,000 of the Americans escaped and two days later joined Washington in New York who retreated north, skirmishing at **Harlem** and **White Plains** until he reached the hills of Peekskill; and Howe moved toward New Jersey capturing Fort Washington on the Hudson and 3,000 men on the way.

Leaving Chas. Lee at Peekskill, Washington, with 5,000 men crossed the Hudson and was pursued into New Jersey by Lord Cornwallis with a much large British force. Washington ordered Lee, with his 7,000 troops, to join him, but Lee refused and was later captured. This was the gloomiest period of the war and the British thought it ended.

Washington retreated to New Brunswick, Princeton and Trenton and finally put the Delaware River between him and his pursuers. Congress fled from Phila. to Baltimore. On Christmas night, 1776, Washington recrossed the Delaware and surprised and captured 1000 Hessians at **Trenton.** He took his prisoners to Phila., returned to Trenton and marched against the advancing British, outflanked them, fell on their rear at **Princeton,** January 3, 1777, defeated and scattered three British regiments. Cornwallis pursued and Washington fled to the hills about Morristown.

Washington in New Jersey

In the spring of 1777 a number of experienced officers crossed the ocean and entered the American army; among them, Lafayette, De Kalb, Kosciusko, Pulaski and Conway and the next year, Steuben, who was appointed inspector general and who first instructed the American troops in European tactics.

Howe returned to New York and put to sea for Phila. with 18,000 men. With 11,000 men Washington followed to defend Phila. The British came from the Chesapeake and were met at Chad's Ford, on **Brandywine.** Washington was defeated with a loss of 1,200 men, and Howe captured Phila., though Washington dared to again attack him and was repulsed at **Germantown.** In December the troops under Washington went into winter quarters at Valley Forge where they suffered terribly from want, cold and disease.

To help carry out the plan of cutting off New England Gen. Burgoyne marched south from Canada with 10,000 men to reach New York. July 1, he drove St. Clair from Ticonderoga who joined Schuyler at Fort Edward. A British detachment under Baum was defeated by Stark at **Bennington,** July 16. Another detachment under St. Leger, from the west, besieged Fort Schuyler (Rome), which siege was relieved by Arnold, after Herkimer had been ambuscaded and killed at **Oriskany.** Schuyler was unjustly superseded by Gates, and on Sept. 19 Burgoyne was checked by a battle at Bemis Heights (Stillwater) near **Saratoga.** Oct. 7 a second battle was fought near the same place, and the triumphant Americans surrounded Burgoyne's camp and compelled him to surrender his army of 6,000 men Oct. 17, 1777. This surrender at Saratoga saved New York state, destroyed the British plan for the war, induced the king to offer peace and representation in parliament, and secured us aid from France.

Saratoga Oct. 17, 1777

In the summer of 1778 a French fleet sailed for America and Clinton (who had superseded Howe) as a consequence evacuated Phila., June 18, 1778, and crossed to New Jersey for New York. Washington overtook him at **Monmouth** June 28, (Freehold), where Lee allowed his men to retreat and

with difficulty Washington prevented the battle becoming a rout. A quarrel ensued, resulting in the dismissal of Lee from the service. Washington moved north, taking his former position near Peekskill, and until the end of the war, in the Middle States, the British occupied New York City, Staten Island and Western Long Island, while Washington's line ran from Peekskill to Morristown.

III. War practically ceased in the north and the British, with 3,500 troops invaded Georgia and took **Savannah** December 29, 1778. Georgia was completely conquered and a royal governor installed. In 1780 Clinton invaded South Carolina, captured **Charleston** and Lincoln"s army and marched north. An American army was raised in North Carolina and the command was given to Gates who proved his untfitness by being overwhelmingly defeated by Cornwallis at Camden; Gates had 4,000 and Cornwallis 2,000 men, and the Americans were routed with a loss of 2,000; De Kalb was killed and Gates ran away, Aug. 16, 1780. A force of 1,200 British under Ferguson was trapped and destroyed or taken at **Kings Mountain,** Oct. 17 by the mountain militia under Sevier.

Green succeeded Gates and with Morgan completely defeated the British under Tarleton at **Cowpens,** Jan. 17, 1781. The two armies maneuvered northward, Greene conducting a masterly retreat across Carolina to Guilford, where Cornwallis overtook him, and though victorious the British were compelled to fall back on the coast. Greene gradually confined the British to the coast, fighting the adverse battles of Hobkirk's Hill and Eutaw Springs. Cornwallis invaded Virginia and joined the British force under Arnold and Phillips. Arnold had attempted to betray West Point and the Hudson in Sept., 1780, to the British, but through the capture of Andre was discovered and compelled to join the British who made him a brigadier-general. Andre was tried and hanged as a spy.

War in the South

Cornwallis took command of this force, sent Arnold to New York, and had begun a campaign against the American force under Lafayette, when orders reached him from Clinton to seize and fortify some Virginian seaport. Cornwallis selected Yorktown and began to fortify it in August, 1781. Washington on hearing that the French fleets had sailed for Virginia hurried to Yorktown and took command of the siege, which began Sept. 30, 1781. The French fleet under De Grasse blocked the James and York rivers and Washington and his army surrounded the British by land. Cornwallis held out for three weeks and surrendered at Yorktown Oct. 19, 1781, with his whole army of 7,000 men.

While these events were going on in the South, Wayne stormed Stony Point (N. Y.,) July 15, 1778, and John Paul Jones, in the Revenge and later in the Bonhomme Richard, created a navy, which captured 102 British vessels and permitted the Americans to lose 24.

In July, 1778, the Torries and Indians ravaged the **Wyoming Valley,** (Pa.,) and the Mohawks raided Cherry Valley, (N. Y.) Nov., 1778. As a punishment Sullivan marched into the territory of the **Six Nations** in 1779, defeated the Indians and laid waste their whole country. The power of the Iroquois was forever broken.

Geo. Rogers Clark crossed the Ohio and captured Kaskaskia July 4, 1778, and won for Virginia the great northwest. The British evacuated Savannah July, 1782, and Charleston Dec., 1782, and there were no more battles after Yorktown.

The treaty (of Paris) was signed (Franklin, Adams and Jay), September 3, 1783, and the British left the last post, New York, November 25, 1783. They held the forts north of the Ohio for 12 years longer. Britain acknowledged the independence of the United States, with Canada as a northern boundary, the Mississippi as the western and Florida as the southern. Spain then owned Louisiana and Britain transferred Florida to Spain also.

OUTLINE OF THE REVOLUTION

Around Boston. I.

1775, June 17, Bunker Hill
1775, July, Washington takes command.
1776, March 17, Boston evacuated.

Elsewhere.

1775-1776, Schuyler, Montgomery and Arnold in Canada.
1776, January 28, Clinton and Parker at Charleston.

II.

1776- July 4, Declaration of Independence.
Washington's New Jersey campaign.
1776, Long Island, White Plains, and New Jersey retreat.
1776, December 25, Trenton.
1777, January 3, Princeton.
Washington and Howe fight for Philadelphia.
1777, Brandywine, Germantown, Valley Forge.
Burgoyne's Invasion from the North.
1777, Bennington and Oriskany.
1777, October 17, Saratoga.
Clinton evacuated Philadelphia, Washington follows.
1778, June 28, Monmouth.
Washington winters at Peekskill.

III.

1778. Invasion and conquest of Georgia.
Savannah and Charleston taken.
1780, August 16, Gates at Camden.
1781, January 17, Morgan at Cowpens.
Greene's retreat north pursued by Cornwallis.
1781, October 19, Yorktown.
1778, July 14, Clark at Kaskaskia.
1783, September 3, Treaty of Paris.

CHAPTER XIV.

Local Colonial Government.

Units of Colonial Self-Government

The English colonists had been accustomed to partial self-government in England. In the rural districts, from which came most of the colonists, those who paid taxes were allowed to elect parish officers and to decide on the expenditures of the parish; the taxpayers elected vestrymen, who sometimes selected constables and overseers of the poor. The parish, manor and township being practically identical, geographically, became the unit of local self-government in the colonies.

County Government, Virginia

As county officials in England at that time were mostly appointed by the crown, the common people had little to do with county government, and it developed only in those regions in the colonies where society naturally evolved into an aristocracy. Virginia was a country of broad and fertile valleys and slow flowing and navigable rivers, and as a result the population was widely scattered and the large estates developed a land holding aristocracy with few towns and no cities. Eventually the county and parish officers were nominated by the landlords. A county court administered justice, had important legislative functions and exercised general control over such affairs not in charge of the vestry. The vestry practically only controlled the church and the poor. Soon the method of appointment in both vestry and county court was so changed that the members came to be chosen in each case by the body itself. The Virginia government thus presented two striking features: 1. Affairs controlled by select bodies of men without the consent of the mass of the voters. 2. The exercise of the principle functions of local government by officers of the county. A third and most important feature was that members of the Virginia House of Burgesses were sent from the counties.

Township Government, New England

New England was a rugged coast, with many harbors, and with few navigable rivers, but cut into fertile and small valleys by swift streams. This physiography supplemented by the fact that the religious belief of early New England fostered independent churches, caused the people to build homes in little towns clustered around the stockade and the meeting house, and caused them to meet frequently in the churches for political as well as religious purposes. Under these circumstances the New Englanders put into practice the ancient English township government, with its annual town meeting to elect officers and discuss town affairs.

The township system of New England was a democracy; the county system of Virginia was a virtual aristocracy. In New England the representatives to the Colonial Assembly were elected by the towns; in Virginia they were selected by the counties.

The Middle Colonies (the conquered area) had a mixed township-county system. In New York the township was more important than the county, while in Pennsylvania the county officers performed the most important functions.

Township-County Government, Middle Colonies

We have therefore three types of local colonial government, (based on the settlement of the three areas of the Patent of 1606), the New England or township system; the Virginia or county system; and the Middle, or township-county system. As the West was settled by emigrants from the East the local government of the Western states favored that of the Eastern region whence the emigrants came. As emigration is usually on parallels of latitude, the Southwest took the county (Virginia) system, and the Middle and Northwest took the Township-county, with the towns most important in the Northwestern states. The township of the West became the town proper, and was soon coterminous with the "Congressional townships" created by the Act of 1785.

From the foregoing it will be observed that the town was universal in the North, predominate in the Middle and either did not exist or was of no importance in the South. The county existed universally in the colonies; it was the political unit in the South, and was partially so in the Middle colonies but in New England counties were created in order that there should be districts larger than the towns and smaller than the colonies in which courts might be held, and also for military purposes.

Town Meeting

General business in towns was done in the annual spring town meeting. At this time from three to nine "selectmen" were chosen, and also a clerk, assessor, constable and some other officers. The chief officers of the colonial county were, justices (eight or more in the South), sheriff, county lieutenant, and the precinct (or parish) constables and surveyors.

Religious Toleration

There was absolute religious toleration in Rhode Island, Maryland, Pennsylvania, New Jersey and Delaware, and there was Protestant toleration in all the other colonies except very early in Connecticut, Virginia and Massachusetts. During the English Rebellion and the English Revolution there was some intolerance, but it was due to political conditions.

There was a strange frenzy against Witchcraft at Salem, Massachusetts, in 1692.

The following facts were very general in all the colonies regarding the relations betwen the Home government and the colonies:

Home Government and Colonies

1. No laws could be passed contrary to the Law of England.

2. Governors had the veto power on all legislation, which was final with no "passing over veto."

3. Except in Rhode Island, Connecticut and Maryland, all colonial laws could not be vetoed by the King within three years. This veto prerogative of the king grew out of the theory advocated by the crown that the land in America was like any other valuable discovery in England, the personal property of the Crown, to be given away and treated as he pleased without interference from parliament. The consequence was that laws in the colonies were usually passed for two years only and then re-enacted, if necessary.

The government of the colonies was not uniform, each differing slightly from that of the others. In Virginia, under the Patent of 1606, the Colony was directly under the king, assisted by a Superior Council, residing in England, and an Inferior Council residing in Virginia. By a later plan the company named a governor with the approval of the king who had an advisory council made up of the chief men of the colony. By the revised charter of 1618 popular representation was permitted, and in June, 1619, the first House of Burgesses met which was the **first colonial assembly in America,** two burgesses from each of the eleven plantations. The Virginia system was centralized.

Maryland was a palatinate and Calvert, the proprietor, had almost regal powers. His absolute rule was limited by a governor and a two chambered legislature; the proprietor appointed the governor and the upper house and the people elected the lower house, in which all bills for revenue must originate. The county was the electoral unit, as in Virginia.

Colonial Government in Detail

The Carolinas were governed at first by the Constitution of Locke which was feudal and divided the people into four estates: Proprietaries, landgraves, caciques and commons, and the common people could never be anything else. The County of Albemarle (N. Car.), was divided into four "precincts" which became the political unit and the precinct was practically a county.

South Carolina was divided physically and politically into the "low" or coast country, in which the parish was the political unit, and the "back" or mountain country, where the "district" (County) was the unit. It was not until 1868 that the state was divided into counties.

Georgia was governed by 21 trustees, with a president and an elective common council which appointed all the officers, including the governor.

The constitution of Plymouth was originally the Mayflower Compact, under which the freemen elected a governor and five (afterwards seven) assistants, called the Court of Assistants, and a General Court of all the freemen. In 1638 the representative system in the General Court was established. Plymouth was merged with Mass. Bay in 1692 where the governor and assistants were called "magistrates" and where the representatives to the General Court were chosen from the towns.

The three Connecticut towns, Windsor, Wethersfield and Hartford were governed for a year by eight commissioners from Mass. but in 1639 with the consent of Mass., a constitution was adopted providing for a governor and six assistants elected by the freemen, and with no reference to king, charter or patent. **This is the first written constitution known to history.** When the New Haven colony was founded in 1638 a church was first established and then the people elected a governor and four magistrates who were assisted by the General Court of freemen. In 1662 New Haven and Conn. were joined under a charter from the king which provided for a governor, deputy governor, twelve assistants and a house of deputies of two from each town, all elected annually by the freemen. This charter was the constitution until 1818.

After the union of Newport and Portsmouth (R. I.) as Rhode Island in

1640 a general government was established ruled by a governor, deputy, and assistants chosen by the freemen. Providence, in 1640, choose five "disposers" to attend to the general business of the town. The charter of 1644 was not a success and in 1663 Chas. II gave Williams a charter, providing for a governor, deputy governor, and assistants, with a general court chosen from the towns. This was Rhode Island's constitution until 1842.

New Hampshire remained a part of Mass. until 1679 when it was made a royal province, and the king appointed a president and council.

Colonial Government in Detail

New Netherlands was rather loosely governed under the companies and the Dutch governors and as a result "gradually a large number of hamlets and villages sprang up, particularly in Long Island, possessing their own magistrates and managing their own local business." These were virtually 'mark societies," similar to the New England town community, transplanted directly from the Teutonic fatherland. Each village had its "folkmoot" and there was no division similar to the county. The general government was much centralized, the director and council being appointed by Holland. When James took possession he promulgated what were known as the "Duke of York's Laws," (for N. Y., N. J., Penna, and Del.), by which the proprietor appointed the governor and council who jointly exercised legislative, executive and judicial functions. The Dutch marks became towns with constable and overseers elected by the freeholders and with the right to assess tax rates, and there was a town meeting. Above the town was a "riding," afterwards called a county which was the military unit (as in Mass.), and in 1683 there were twelve counties; also when the first representative assembly was permitted in 1683 the county became the political unit, two delegates being elected from each county.

New Jersey (as East and West Jersey) had a varying government until it became a royal province in 1702, when a governor and council were appointed by the crown and an assembly of deputies was elected partly by counties and partly by towns.

Under the Swedes and Dutch Pennsylvania's government was similar to that of New Netherlands. Under the Duke of York the township was almost the sole unit, but under Penn three counties were at once organized, Chester, Philadelphia and Bucks. Penn acted as governor with a deputy resident in the colony. There was a provincial council of eighteen and seven deputies from each county were elected to an assembly. Members of the council were elected for three years, one third retiring annually. In 1701 Delaware was given a separate legislature but had the same proprietary governor until the Revolution.

CHAPTER XV.

Progress Towards Union.

Environment and heredity make national as well as human character, and each of these impelled the colonies to unite in a federation. By environment they were confined to a narrow strip of coast between the mountains and the sea with easy means of water communication, by rivers or good harbors, north and south, but not very far east and west. A diversified climate in this strip compelled commerce with each other rather than with foreign lands. By heredity they were of one tongue, of the same religion, (Christian), and practically of one race, at least they possessed in common Anglo-Saxon institutions. Three fears drew them in still closer bonds: 1. Of the Indians. 2. Of the French and Spanish. 3. Of the tyranny of England.

United Colonies of New England 1643 Four Colonies

The first step toward union was the uniting in 1643 of the New England colonies of Plymouth, Massachusetts Bay, Connecticut, and New Haven against the Indians and Dutch, just after the Pequot War. This was dissolved in 1684.

Albany Congress 1754 Seven Colonies

The Lords of Trade in London ordered the colonies to send delegates to Albany to make a treaty with the Iroquois Indians. This Congress met at Albany in 1754 and consisted of delegates from New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, and Maryland, and adopted a plan of Confederation, favored by the Lords of Trade and prepared by Franklin. The colonial legislatures rejected the plan.

Stamp Act Congress 1765 Nine Colonies

After the passage of the Stamp Act, nine of the colonies, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, New York, Maryland, South Carolina and Delaware, sent delegates to New York in October, 1765, which Congress adopted a Declaration of Rights. This was the first colonial congress owing its origin to the Popular Party, the call being issued by Massachusetts.

First Continental Congress, 1774 Twelve Colonies

Through the "Inter-colonial Committees of Correspondence" and the "Sons of Liberty," at the suggestion of the suspended Assembly of Massachusetts (organized as a provincial congress and in session at Concord), the First Continental (called so because it embraced the *continent,* as distinguished from *provincial*) Congress met at Carpenter's Hall, Philadelphia, September 5, 1774. All the colonies but Georgia were represented. This Congress protested in respectful and loyal terms against the treatment of Massachusetts.

and the colonies in general and petitioned the king to remove the grievances, drew up a Declaration of Rights and also an "association," which was an immense boycott of British goods. Before adjournment the First Congress called a Second Continental Congress which assembled at Philadelphia May 10, 1775, in which all the colonies were represented and which governed the colonies through a system of "committees" until it "died of old age with the year 1788."

Second Continental Congress, 1775 Thirteen Colonies

During the First Continental Congress and during the first year of the Second, it was the intention of the majority of the colonies to coerce the English Government into a recognition of the right to local self-government (such as Canada and Australia have today), or to representation in Parliament, with the especial right to levy local taxes and collect the same. Congress waited to see the result of the appeal to the king and when it was learned (November 1, 1775) that the king would not even receive the petition, the hope of settlement as a part of the British Empire died away. The first public suggestions that the British rule had ceased were made in votes of local conventions, among them one in Mecklenburg County, North Carolina, (May, 1775.) Thomas Paine's pamphlet, Common Sense, had a very potent effect on public opinion (similar to that of Uncle Tom's Cabin, in later history).

Under the supervision of this Congress the governments of the colonies were changed to those of states, New Hampshire first, and then South Carolina, so that in the words of Abraham Lincoln: "The Union is older than any of the States, and in fact it created them as states." Under a first resolve of Congress, Congress advised state governments for New Hampshire, South Carolina and Virginia, and under the second (May 10, 1775), for New Jersey, Delaware, Maryland and North Carolina, which formed in 1776 and New York and Georgia which formed in 1777.

Massachusetts did not frame a constitution until 1780, and Rhode Island and Connecticut kept the ancient charters, simply changing allegiance from king to state. The constitutions of most of the states were changed in 1790.

As colonies, all except Pennsylvania, Delaware and Georgia had legislatures composed of two houses, and in most of the colonies the upper house was appointed by the Governor, although in Connecticut and Rhode Island they were chosen by the people and in Massachusetts by the lower house. The early constitution practically copied the charters and re-enacted the colonial government with the royal supervision. As a rule there was a property qualification for voters.

At a later period all the states followed the example of Virginia (June, 1776) in enacting a bill of rights as an amendment to the constitution. Massachusetts was the only state to submit the first constitution to the people for ratification. The early constitution at first withheld the veto power, restricted the power of governors and judges and even gave, in some cases, the appointing power to the legislatures. Officers were elected for very short terms, generally one year, and few states permitted legislative sessions more frequently than once in two years, and then not to exceed ninety days. Outside of New England all governors were originally elected by the legislatures, which plan was followed generally until 1830.

CHAPTER XVI.

The Confederation and the Ordinance of 1787.

On June 11, 1776, when it became certain that the Declaration of Independence would be adopted, a second committee of the Second Continental Congress was appointed, consisting of one from each state, to prepare *Articles of Confederation* which would bring the states into a closer and more definite union.

Maryland Refuses to Adopt Articles

This committee reported a plan written by John Dickinson of Pennsylvania, on July 12 following, just eight days after the promulgation of the Declaration. This plan, after amendment, was adopted by Congress November 15, 1777, and the Articles were immediately sent to all the states for adoption. The consent of all thirteen of the states was necessary and by July, 1778, the ratification of all the states was obtained except that of Delaware, New Jersey and Maryland. New Jersey adopted the Articles November 25, 1778, and Delaware February 22, 1779, but Maryland determined not to adopt the articles until her demands against the "land claiming states,' Massachusetts, Connecticut, New York, Virginia. North Carolina, South Carolina and Georgia were complied with.

States' Claims to Western Lands

In 1777 six states, the "land claiming states," above mentioned (except New York which had bought from Indians title to land in the Ohio Valley), claimed lands between the Alleghany mountains and the Mississippi, by the "from sea to sea" charter of 1609 (Plymouth and London Cos.). New Jersey, Delaware and Maryland held these land claims invalid because: 1. The Mississippi Valley was settled by France. 2. England only obtained it in 1763 from France. 3. The proclamation line cut it off from Colonies. 4. Now it was the property of the states in common, as it was formerly crown land.

Articles Ratified March 1, 1781

As Maryland refused to adopt the Articles on this account New York ceded her claims to the United States in 1780 and in January, 1781, Virginia gave up the territory north of the Ohio. On the promise of the other states to take similar action, Maryland ratified the Articles March 1, 1781.

Congress assembled the next day under the new powers.

Massachusetts ceded her lands west of New York in 1784. In 1786 Connecticut ceded her claims, reserving a strip 120 miles long in what is now Northeast Ohio, just west of Pennsylvania on Lake Erie, known as the

Connecticut Reserve. To Virginia was left the District of Kentucky which remained a part of Virginia until admitted in 1792 as a state. North Carolina ceded her claim to the Watauga settlements (Tennessee). In 1787 South Carolina gave up her claims to a 112 mile east and west strip between West North Carolina and Georgia. Georgia claimed west to the Mississippi and did not give up her claim until 1802.

As these lands were ceded Congress decided to sell them and devote the proceeds of the sale to the payments of the public debt. The first land bill was the **Grayson Ordinance**, May 20, 1785, suggested by Jefferson, which divided the western country into (Congressional) townships, six miles square, by lines running due north and south, and others crossing at right angles; each township to be subdivided by lines a mile apart into 36 sections, one of which (and in some cases two) was reserved for schools; to sell at one dollar an acre.

Grayson Ordinance

As soon as Congress received the deeds to the tracts of western lands ceded by the seven states, a law was passed surveying the land preparatory for sale. Land companies were at once organized, made up largely of Revolutionary veterans for the purchase and settlement of these western lands, the Symmes Co., the Scioto Co., and the Ohio Co. In 1788 the state of Pennsylvania bought 200,000 acres, the triangle of land west of the New York line, which gave Pennsylvania the lake (Erie) front, which she did not formerly possess.

To protect one of these land companies, the only one which really amounted to very much, the Ohio Co., the Congress of the Confederation passed the famous *Ordinance of 1787* which was afterwards confirmed by the Congress under the Constitution. This ordinance provided: 1. That the region from the Lakes to the Ohio and from Pennsylvania to the Mississippi be called: "The Territory of the United States northwest of the River Ohio." 2. That it should be cut up into not less than three nor more than five states, each of which might be admitted into the Union when it had 60,000 free inhabitants. 3. That within it there was to be neither slavery nor involuntary servitude except in punishment for crime. 4. That until such time as there were 5000 free male inhabitants 21 years old the territory was to be governed by a governor and three judges, after that (when population reached more than the 5000) the people were to elect a house of representatives, which in turn was to elect ten men, from whom Congress was to select five, to form a council. The house and the council were then to elect a territorial delegate to Congress with the right of debating but not of voting. The governor, judges and the secretary were to be selected by Congress. The council and the house were to make laws subject to the approval of Congress. 5. That there should be religious toleration, encouragement of education and good faith to the Indians.

Ordinance of 1787

Northwest Territory

Shortly after this South Carolina (1787) and North Carolina (1789) ceded their disputed lands, which were formed into the "Territory southwest of the Ohio River" and in which slavery was al-

Southwest Territory

lowed, owing to the express terms of the donation of North Carolina, which provided that no laws should be enacted prohibiting slavery within the area.

"The Ordinance of 1787 belongs with the Declaration of Independence and the Constitution (of 1789). It is one of the three title deeds of American constitutional liberty. As the American youth shall visit the capital of his country" he will see "two time-soiled papers whose characters were traced by the hands of the fathers a hundred years ago devoting the nation forever to Equality and Education."

The Articles were not formally adopted until March 1, 1781, during the seventh session of the Continental Congress. The functions of central government up to this time had been exercised under an unwritten constitution, and were as follows, from 1775 to the adoption of the Articles in 1781:

Government 1775-1781 Continental Congresses

The plan of organization was very similar to that proposed by Franklin in July, 1754. It appointed a Commander-in-Chief of the army, a War Board, a Secretary of Foreign Affairs, a Superintendent of Finance, a Postmaster-General, an Official Geographer and such committees as from time to time seemed expedient; it organized a court, prescribed oaths, adopted a flag and a seal; declared independence, exercised direction of the war forces on land and sea; regulated various diplomatic matters, appointed and received embassies and made treaties; received cessions of territory, negotiated loans, issued bills of credit and provided a currency.

Acts of Seven Confederate Congresses 1781-1789

The Articles were finally adopted about seven months after Cornwallis' surrender and effected little or no change in the powers or strength of the central government. The most important acts of the seven Congresses which met after the adoption of the Articles were: 1. The establishment of the Bank of North America. 2. The making of the peace treaty with England. 3. The proclamation of a cessation of hostilities. 4. The disbanding of the army. 5. The organization of the Northwest Territory. 6. The earnest but futile efforts made to secure a revenue. The chief provisions of the Articles are as follows:

(1) The Confederation was declared to be a firm league of friendship between the several states; (2) delegates to Congress were to be appointed annually, in such manner as the Legislature of each state should direct; (3) states might recall delegates within the year and send others for the remainder of the year; (4) No state was allowed less than two or more than seven delegates; (5) No person was eligible as delegate for more than three in any term of six years; (6) Each state maintained its own delegates; (7) Each state had one vote; the votes of nine states were necessary to pass any measure, and of all thirteen to pass an amendment to the Ar-

ticles; (8) All war and general warfare expenses were to be paid out of the common treasury; (9) Treasury to be supplied by the several states in proportion to the value of all lands; (10) Congress was to send and receive ambassadors; (11) Congress was the tribunal of last resort in differences between states, and in controversies in private land claims under different state grants; (12) Congress commissioned all officers under the United States; (13) Congress had authority to appoint a committee during the recess, to be called a *committee of the states*, which was to consist of one delegate from each state; (14) Canada might enter the Confederation; (15) The Union was to be perpetual; (16) No provision for a President or a national judiciary; (17) Congress consisted of but one house; (18) "By this compact the United States in Congress have the following powers: They may make and conclude treaties but can only recommend the observance of them. They may appoint ambassadors but cannot defray even the expenses of their tables. They may borrow money in their own name on the faith of the Union but cannot pay a dollar. They may coin money but may not purchase an ounce of bullion. They may make war and determine what number of troops were necessary but cannot raise a single soldier. They may declare everything but do nothing."

Provisions of Articles of Confederation

As each state paid its own delegates in Congress, the smaller the number the less the expense. Oftentimes a state would have no representative. The treaty of peace, signed September 3, 1783, could not be ratified until January 14, for want of representatives, and then there were but twenty-three members present. In April of that year there were present twenty-five members from eleven states, nine being represented by two each. Three members, therefore—one-eighth of the whole—could negative any important measure.

Anarchy of the Confederation

Hostilities ceased in 1781 and peace came in 1783 and the States were in a pitiable condition. The Articles did little to alleviate conditions and the government under the Confederation may be considered a period of interregnum, covering the time between the downfall of royal authority until the establishment of the popular will under the constitution of 1789. The confederation developed weakness very early and may be considered chiefly impotent in three ways: 1. The requirement of a vote of nine states for all important measures, and the unanimous consent of all the states for an amendment. 2. State control of commerce and the helplessness of United States in dealing with foreign powers. 3. Lack of coercive power; no action of the national government on the individual; Congress might demand troops and money but could not enforce the requisition. There were many early evidences of these weaknesses, causing Madison to propose an amendment giving the United States power to compel a "delinquent state to fulfill its federal engagements," which was not passed, and the proposal of Pelatiah Webster, in May, 1786, to call a constitutional convention also failed. The eight years of the Confederacy is a dismal record of requisitions by congress for money, of neglect or refusal of payment by the states, of consequent default in payment of principal and interest on the debt, which amounted in January, 1783, to $42,000,375 with an annual interest charge of

$2,415,956. Seven years afterwards it had increased to $54,124,463. In October and November, 1781, congress made requisition for $8,000,000 of which only $500,000 had been collected by January, 1783. During the next four years congress could collect only $1,000,000 out of the $6,000,000 levied. In February, 1781, congress asked the states for authority to levy a national ad valorem duty of 5 per cent to pay the national debt. The refusal of Rhode Island made the plan of no effect. Congress failed in 1783 to secure from the states power to levy duties for 25 years only, to pay the national debt; New York was the state that prevented the action. The army had not been paid since 1777 and then in continental paper currency worth only eight cents on the dollar. March 10, 1783, while the army was encamped at Newburgh an anonymous address was issued calling upon the army to revolt and secure pay at the point of the bayonet. About this same time Col. Nicola made public a letter advising that Washington be made king. In July, 1783, all American commerce was excluded from the West Indies by Great Britain. Congress failed in its attempt to persuade the states to take united action against England in commercial retaliation, but many of the states took steps not only against England, but against each other, and some in favor of England and against each other, as Connecticut admitted British goods free but taxed those of Massachusetts. Pennsylvania discriminated against Delaware and New Jersey and New York against Connecticut, and New Jersey. Congress was as weak in dealing with interstate troubles. In Pennsylvania the settlers from Connecticut, near Wyoming, rebelled and attempted to set up a government independent of Pennsylvania. Shay's rebellion in Massachusetts was put down only by the energy of Governor Bowdoin and the Massachusetts militia under General Lincoln. Attempts were made to form new states independent of the Confederation, in (Vermont) "New Connecticut," Frankland, (Tennessee), Maine and Kentucky. October 6, 1786, the treaty of Jay and Gardoqui proposed to close the Mississippi river for 25 years and the attempt to enforce this treaty almost produced the secession of New England and Kentucky. In June, 1783, congress was driven from Philadelphia by a handful of dissatisfied and insubordinate militiamen.

Interregnum Leading to the Constitution

A full congress would have consisted of 91 delegates. In practice the presence of thirty was an unusual event and these were not the first rate men of the country.

By 1785 congress was in danger of dissolution and everyone felt that something must be done, and constitutional conventions were proposed by the legislature of New York in 1782 and by that of Massachusetts in 1785. In 1785 the legislatures of Maryland and Virginia appointed commissioners to regulate the navigation of the Chesapeake Bay. The Commissioners failed to agree and reported a condemnation of the Articles of Confederacy. Legislature of Virginia followed the report by a resolution inviting the other states to meet at Annapolis to consider the defects of the government and suggest some remedy. In September, 1786, delegates from New York, New Jersey, Pennsylvania, Delaware and Virginia met at Annapolis, discussed the matter and adjourned after recommending another convention to be held at Philadelphia in May, 1787. At the Annapolis meeting there were no delegates from New England and the leading spirits were Hamilton, Madison and Dickinson. (The Maryland-Virginia conference was held at Alexandria, Va., and adjourned to Mt. Vernon to consult with Washington).

CHAPTER XVII.

The Constitutional Convention

The weakness of the Confederation produced certain results which strongly impelled the States, though unwilling, to send delegates to the Convention of 1787; the principal results were six, as follows: 1. Fourteen kinds of depreciated currency, accompanied by a progressive commercial collapse. 2. Absolute confusion in our diplomatic relations with Europe. 3. The neglect of the Western lands until July 13, 1787. 4. A tendency toward territorial disintegration, illustrated by the formation of the State of Franklin (land) in 1784. 5. The development of an acute attack of monetary mania, illustrated by the currency troubles in Rhode Island in 1786. 6. The encouragement of popular violence, illustrated by Shays' rebellion in Massachusetts, in 1786.

Weaknesses of the Articles

The definite steps which led to the Convention were as follows: 1. Demands for a stronger union made by State legislatures. 2. The complaint of northern merchants and southern planters. 3. The meeting at Alexandria, Virginia, in March, 1785. 4. The Trade Convention at Annapolis, in September, 1786 all resulting in the (5) call by Congress, February 21, 1787, for a convention to revise the Articles of Confederation.

Steps Leading to the Constitutional Convention

The Convention was called to meet on May 2, 1787. In accordance with the recommendation all the states appointed delegates but Rhode Island, and the Convention assembled in Philadelphia Monday, May 14, 1787. The Convention was slow in starting. A quorum of states (seven) was not present until the 25th, when an organization was effected by the election of Washington as President, William Jackson, Secretary; and Nicholas Weaver, Messenger. Rules were adopted May 28, which provided among other matters, that each state was to have one vote; seven states a quorum; to sit with closed doors and everything was to be secret, which last injunction was never removed, though fortunately Madison kept a very full account in a private journal, which was bought of his widow, after his death in 1836, by the government for $30,000 and published as the "Madison Papers" in 1840.

Opening of the Convention

There were fifty-five delegates who sat, (and ten more who did not sit), and in this number were included practically all the great conservatives of the country, (except Jay), and practically none of the great destructive radicals. Thirty-nine of the delegates signed the Constitution, sixteen did not: six northern states and six southern were represented: more than half of the delegates were college graduates: Franklin had been a

member of the Congress of 1754: three had been present at the Congress of 1765: seven had been members of the First Continental Congress: eight were among the signers of the Declaration: eighteen were at the same time delegates to the Second Continental Congress, and of the whole number there were only twelve who had not sat at some time in that body. Still many great names were absent: John and Samuel Adams were not there, and John Hancock was absent, Patrick Henry refused to attend. Thomas Jefferson and John Jay were absent from the country. Washington and Franklin were there, the latter over eighty. Of the younger men most prominent were Madison, then about thirty-five, who was most largely responsible for the Constitution in its present form, called often the "Father of the Constitution," and Hamilton, about thirty, who took such radical views that he soon lost influence. C. C. Pinckney of South Carolina; Wilson of Pennsylvania; Ellsworth and Sherman of Connecticut; Randolph of Virginia; Morris of Pennsylvania, and Paterson of New Jersey, in addition to the above and to many others of unusual ability made the convention the most notable gathering of ability ever held on the American continent.

Parties in Convention

There were in the convention six groups of antagonistic parties: 1. Federalists and anti-federalists. 2. Friends of centralization and friends of state sovereignty. 3. Large states and small states. 4. Commercial states and agricultural states. 5. North and South. 6. East and West.

On May 29, business commenced by the introduction by Randolph by what is called the "Virginia (or large states') plan." There were two general plans submitted, and also in addition one by Pinckney, (generally considered not genuine), and one by Hamilton, which was a strongly centralized scheme, including a life senate and life president, the state governors to be appointed by the general government.

The Four Plans

The only plans seriously considered were that of Virginia, the Madison or "Large States' Plan" and that of New Jersey, the Paterson, or "small states' " plan. These various plans were referred to a Committee of the Whole in which they were vigorously debated until July 23, when a Committee of Detail (Rutledge, Randolph, Gorham, Ellsworth and Wilson) was appointed, to whom the various plans were submitted, and on the 26th the convention adjourned until August 6. The draft reported by the Committee of Detail was considered until September 8, after the re-convening of the convention, when a committee of five (Johnson, Hamilton, Morris, Madison and King) was appointed to revise the style and arrange the Articles. On the 12th they reported the Constitution. On the 15th the Constitution, as amended, was agreed to, all the States concurring and on the Monday following, (17th), it was signed by all the members, after striking out 40,000 as the basis of representation and inserting 30,000.

CHAPTER XVIII.

Government in Operation

The first resolution in the committee of the whole was offered by Mr. Randolph, being the first of a series offered, and was as follows: "Resolved, That it is the opinion of this committee that a national government ought to be established, consisting of a supreme Legislative, Judiciary and Executive." This was the entering wedge for the *Virginia plan,* offered May 29, of which the principal features were: 1. Two houses: lower chosen by popular vote; upper, by the lower from nominees of state legislature. 2. In each house individual vote and majority decision. 3. Representation according to property or population. 4. Executive, to be chosen by the national legislature. 5. National legislature to nullify unconstitutional state laws. 6. A national judiciary.

Virginia Plan

The *New Jersey, or Paterson plan,* was offered as a substitute June 15 by the jealous small states and its chief provisions were: 1. In general the plan provided for mere amendment to the Articles. 2. An executive in the form of a council, to be chosen by Congress. 3. Powers of Congress increased, but no action on individual. 4. Congress given power to levy taxes and other duties. 5. A national judiciary.

New Jersey Plan

After a rather brief debate the Committee of the Whole adopted the Virginia plan with some modifications and reported to the convention. The convention was divided on several questions which were keenly debated after the report of the Committee was before the convention.

The constitution was eventually secured in the convention only after compromising on important questions. The compromises were made regarding claims and demands of the various parties. There were three great compromises. 1. *The Connecticut Compromise.* The large states wanted the number of members in both houses to depend upon population; the small states insisted on each state having one vote. After a bitter debate a compromise offered by the Connecticut delegates was (July 7) accepted; each state was to be represented in lower house by population; the Senate to be composed of two Senators from each state, each of whom would have one individual vote. To pacify the large states, the House of Representatives was to have the exclusive right to introduce measures for the raising of revenue. The apportionment of the lower house was eventually fixed at one for every 30,000 of population. 2. The Second, or *"Three-Fifths" compromise.* The convention

Connecticut Compromise

had already decided that when direct taxes were levied, each state should contribute according to its population so that the enumeration of the people was very important. All was clear except in regard to the slaves. Of course the South wanted the negroes counted when direct taxes were paid, but not when representatives were apportioned; the North wanted the opposite in each case; so that a compromise was adopted (July 12) by which five negroes were counted as equal to three white men when reckoning the population for either taxation or representation. The Third or *"New England-South Carolina"* compromise. This also dealt with the question of slavery. The extreme Southern states demanded the right to import slaves but practically all the other states were opposed to the slave trade. In the North commerce was the chief industry and the New Englanders insisted that navigation acts be passed by Congress in the same manner as ordinary bills. The South on the contrary believed that her agricultural interests would suffer unless a two-thirds vote was required for all laws relating to commerce. These differences made the last great compromise necessary (August 25) which was that the South agreed to permit the passage of navigations acts by a majority of each house of Congress and the North agreed to grant permission to import slaves for twenty years, or until 1808, the tax upon these slaves not to exceed ten dollars per head.

Three-Fifths Compromise

New England-South Carolina Compromise

On September 17, 1787, the Convention finished its work. The text of the Constitution was printed and rapidly distributed over the Union. Congress, on September 28, 1787, unanimously resolved that the constitution be transmitted to the state legislatures, though the convention had decided a convention in each state should be summoned to determine the acceptance of the constitution, the convention to be called by resolution of the legislature.

Argument over Ratification

The discussion of the constitution divided the country into two great parties, the Federalists, in favor of, and the Anti-Federalists, opposed to the constitution. The eighty-five papers of *The Federalist*, published in a New York newspaper did much to refute objections. Of these papers Hamilton wrote sixty, Jay, five or six, and Madison the remainder.

The Constitution became effective upon the ratification of the conventions of nine states; the states ratified as follows: Delaware, December 1, 1787; Pennsylvania, December 12; New Jersey, December 18; Georgia, January 2, 1788; Connecticut, January 9; Massachusetts, February 6 (with recommendation of amendments, followed by similar recommendations by succeeding states); Maryland, April 28; South Carolina, May 23; New Hampshire (the ninth) June 21; Virginia, June 26; New York, July 26; North Carolina, November 25, 1789; and Rhode Island did not intend to join the union or ratify the constitution, but it being suggested that the trade of "states which did not recognize Congress" should be

Constitution Ratified June, 1788

cut off, Rhode Island ratified May 19, 1790, after the government was in operation.

Government in Operation

When the ninth state ratified, in June, 1788, and the adoption of the constitution was assured, the Continental Congress fixed the first Wednesday in January for the election of presidential electors, the first Wednesday in February for the meeting of the electors and the election of the president, and the first Wednesday in March, March 4, 1789, for the inauguration of the president. Owing to a delay in the assembling of the new Congress Washington was not in fact inaugurated, nor our new government put into actual operation, until April 30, 1789. Thus was established "the government which was to diminish as little as possible the powers of the states and yet give to the central government sufficient authority to control matters of national interest, and, if necessary, to enforce obedience of the states as well as of their citizens, to the provisions of the constitution."

Distribution of Governmental Powers

In considering the governmental powers of the United States it will be noticed, as suggested by Professor Willoughby: 1. That there are certain powers which can be exercised neither by the Federal nor state governments. These include those prohibited to both by the Federal constitution; and those, which given to the states, are denied to their governments by their own constitutions. 2. That the powers of the Federal government consist of those expressly given, and of those implied in the exercise of those expressly given. 3. That the individual state governments have any and all powers except: *a*. Those exclusively given to the United States. *b*. Those given concurrently to the United States and to the states, and actually exercised by the United States. *c*. Those expressly prohibited to the states by the constitution. *d*. Those within the competence of the states, but prohibited to their governments by their respective state constitutions. From the foregoing it will be seen that a federal government is the most complicated of any. The constitution is not a description of our government. It is rather a foundation or a plan in outline, which had to be filled in afterwards by legislation. The character of this legislation depends upon the interpretation of the constitution. In the political history of our country since the adoption of the constitution there have been ever present two great constitutional questions, in the conflicting answers to which we must seek the origin and creeds of our great political parties. These have been the two questions: 1. What is the extent of the powers granted by the constitution to the national government? 2. What is the real nature of our Union? and arising from this, Can a state as a last resort withdraw from the Union?

The government in its original form in 1777 was an extreme democracy whose controlling principle was the complete independence of separate

Parties in the United States

communities. Those who opposed its change to a Representative Republic in 1787 (then called Federalists, before the adoption of the Constitution and Anti-Federalists, after the adoption), desired in later years that the Constitution should be construed or interpreted strictly according to its terms. The party thus founded which has retained the name of Democratic-Republican even to our day has therefore usually been called the **Strict Constitution Party.** Those who opposed this view and wished to give the Federal Government increased power by a broad or liberal construction of the Constitution have usually been called the **Loose Construction Party.** Until and during the Revolution the names **Whig** and **Tory** designated two political classes in America, the official and aristocratic classes were the Tories, and those who opposed the tyranny of England were called Whigs. After the war the Whigs alone remained and while the ratification of the Constitution was being discussed, the friends of the Constitution, the party favoring larger centralization began to be called **Federalists** and the "states' rights" party was called **Anti-Federalist.** After the Constitution was in operation those who were known formerly as Anti-Federalists became known as **Democratic-Republicans,** but were called for short Republicans. Jefferson was the typical Republican of his time and Hamilton was the leader of the extreme Federalists. The loose construction principles of the Federalists were inherited eventually and successively by the **Whig, Anti-Masonic, Free-Soil,** and **Republican** parties, while the sole and strong anti-liberal constructionists or strict construction party has been the **Democratic** party, down to the present day. Nearly all the small and "third" parties of our history have been loose construction parties, such as the Greenback party, the Populists, Socialist-Labor, etc.

CHAPTER XIX.

The Amendments.

The constitution provides methods whereby it may be amended. In Article Five two methods are provided for proposing amendment: Either by resolution of two-thirds of both Houses of the Federal Congress, or on the application of the legislatures of two-thirds of the states; two methods of ratification are provided, either by the legislatures of three-fourths of the states or by conventions in three-fourths of the states, in accord with whichever of the two methods of ratification Congress may suggest.

How Amended

There is one provision, however, that may never be amended, and that grew out of the First Connecticut Compromise, and that is in the latter part of Article V., "no state without its consent shall be deprived of its equal suffrage in the Senate."

Fifteen amendments in all have been made to the constitution, although over seventeen hundred have been proposed. Some of the states ratified the constitution with the recommendation that certain amendments be added, and in pursuance of this the First Congress proposed in the House seventeen amendments which were cut by the Senate to twelve, of which ten were ratified in 1791 by the state conventions (in all states but Massachusetts, Connecticut and Georgia, and proclaimed in effect by Secretary of State Jefferson, December 15, 1791. They were popularly called a "Bill of Rights;" the first eight guaranteed: 1. Religious freedom, freedom of speech and of the press. 2. The right to meet together and right of petition. 3. The right to keep and bear arms. 4. The exemption from soldiers being quartered on citizens. 5. Protection from unlawful search and seizure. 6. The right to prompt and impartial justice and trial by jury, and 7. Exemption from excessive bail and from cruel and unusual punishments. The Ninth declares the the enumeration of certain specific rights does not imply others retained by the people may be denied or disparaged. The Tenth states that all powers delegated to the general government not expressly denied to the states "are reserved to the states respectively or to the people."

The "Bill of Rights"

The first ten amendments were promised to Massachusetts and other states to pacify them and persuade them to ratify the Constitution. They should have been encorporated in the Constitution itself, and are not in reality amendments at all. It will be noticed that in fact, though not in form, the Constitution has but five amendments, the Eleventh, the Twelfth, the Thirteenth, the Fourteenth and the Fifteenth.

Eleventh Amendment

The Eleventh amendment was declared in force in 1798. It denies the right of a citizen of a state or subject of a foreign state to sue another state. The Supreme Court in the celebrated case of Chisholm vs. Georgia decided that under Article III, Section 2, a private citizen of a state might bring suit against a state other than the one of which he was a citizen. This decision was so displeasing to many of the states that the eleventh amendment was ratified with little difficulty.

Twelfth Amendment

The Twelfth amendment prescribes the manner of electing the President and Vice President. It arose out of the excitement and danger in the contest between Jefferson and Burr for the presidency in 1801. It became operative in 1804.

The last three amendments practically embody the results of the War of 1861-65. The Thirteenth amendment abolished and prohibited slavery within the United States and was ratified in 1865. President Lincoln's proclamations of '62-'63 were only "war measures" and had no effect in time of peace, and constitutional amendment was necessary after the war.

The Civil War Amendments

The Fourteenth amendment, ratified in 1868, grew out of the Civil Rights Bill of 1865. Congress could give, and did give, the freedmen many rights, but it had no power to give them the right to vote, because suffrage is a prerogative of the states. To protect the negroes from injustice an amendment was necessary. This amendment guarantees political and civil rights to all persons born or naturalized in the United States; apportions the representatives among the several states according to population, counting the whole number of persons in each, excluding Indians not taxed; provides for the reduction in the representation of any state that denies to any male citizen twenty-one years of age the right to vote at any election for any federal or state officers, the representation of such states to be reduced in proportion which the number of such disenfranchised citizens bears to the whole number of male citizens twenty-one years of age; prevents future office holding by all rebels who took the oath previous to the rebellion, but gives Congress the power to remove the disability; and establishes the validity of the public debt, but forbids the payment by the United States or any state of any debt incurred in aid of rebellion, or any claim for emancipated slaves.

The Fifteenth amendment was ratified in 1870 and affirms that the right of suffrage shall not be denied or abridged by the United States or any state "on account of race, color or previous condition of servitude."

It will be noticed that the first eleven amendments restricted the power of the United States government in certain respects, while the 13th, 14th and 15th amendments placed certain limitations upon the states.

Although the constitution has been amended but slightly, in

form and words, it must be remembered that the constitution has been vastly enlarged in its scope and power, owing to the fact that many of our ablest jurists of the Supreme Court, (which interprets the constitution), have been of the political school of "loose constructionists," especially so in the case of the "expounder," John Marshall.

CHAPTER XX.

Territorial Survey.

As soon as the new government proved its strength and probable permanence there was a great rush of emigrants towards the west. As this was the beginning of the development of the "corn belt", and other areas to the west, and as settlement was almost entirely for farming and landholding purposes it is of great importance that we pause and consider the process of land surveys under which land was and still is held. By the law of 1780 the surveyors began by establishing a meridian as a north and south line, called a *Principal Meridian.* A line crossing the Principal Meridian at right angles at some convenient point is called a *Base Line.* Meridians six miles apart on each side of the Principal Meridian and parallels six miles apart on each side of the Base Line are then established called *Township Lines.* The squares enclosed by the township lines are called Congressional Townships (created by Act of Congress, not by the people.) Each township is divided into *Sections,* each one mile square. Each Section is divided into halves, quarters, eighths and sixteenths. Each Section contains 640 acres, "more or less". Township meridians are six miles apart only on the base line, so Correction Lines are established every twenty-four miles north and every thirty miles south of base lines (in the latitude of Chicago). Every fifty-four miles east and west of the principal meridian a new meridian is established called a *Guide Meridian.* Townships are consideered in Ranges (or rows) east and west from Principal Meridians.

The American Survey System

The Meridian

The First Principal Meridian is the boundary between Ohio and Indiana: the Second begins on the Ohio river at the mouth of Little Blue Creek and extends north through Indiana, very near the middle of the state. The Third extends north from mouth of the Ohio river through about the middle of the state of Illinois; its base line crosses it at the northwest corner of Jefferson County and is the continuation of the base line of the Second Principal Meridian. The Fourth begins at the mouth of the Illinois river and extends north to Lake Superior. Its base line crosses it at Beardstown. Two other principal meridians are numbered, both being west of the Mississippi, and the other eighteen are named, not numbered, after certain physiographical or civic features.

The Township

Each township is subdivided into thirty-six sections each one mile square and numbered by commencing in the upper right hand corner across the left until 6 is reached and then below 6 is 7 and then across from left to right to 12, then from 13 (below 12) from right to left, etc., so that the number of sections on the right border of a township are successively from top to bottom. (North to south), 1, 12, 13, 24, 25, 36. The 16th and 36th sections are the ones usually given by the United States to the states for the benefit of the public schools.

Land Grants and Sales

After the completion of the surveys the lands have been granted to the states or to individuals or sold at a nominal figure. An area greater than that of the original thirteen states has been transferred to railways or to states for internal improvements. Besides the grant of two sections in each township for schools, from 1860 to 1870, general grants of land were made for aid of state agricultural schools. Parts of sections have also been assigned to soldiers and sailors for military service, and large quantities have been sold at $1.25 and $2.50 per acre.

Most of the West has been settled under the homestead laws. The present law, originally enacted in 1862, enables any citizen, or "declared" citizen to acquire title to a quarter section (160 acres) by living on it for five years. Veterans are allowed to deduct the time of actual military service. Timber lands and mineral lands may also be acquired upon very favorable terms.

The Irrigation Act of June 17, 1902, provides that the Secretary of the Interior may use the proceeds from the sale of public lands in the Pacific and Rocky Mountain states for the construction of storage reservoirs upon lands wholly or principally under his control. This will reclaim the vast arid wastes, now known as "irrigated" lands. Some of the most picturesque and valuable mountain districts have been set aside as "national parks" such as the Yellowstone, of 3312 square miles and the Yosemite, almost as large. About 60,000,000 acres within the limits of the United States proper have been placed in the "forest reserve."

American Territorial Increase

Our territory has greatly increased since the grant of the western lands by the "land claiming states," 1781 to 1802. In 1803 Louisana was purchased from France (Napoleon) for $15,000,000. In 1819 the United States acquired the Floridas by purchase from Spain for $5,000,000. In 1845 Texas was annexed, and by treaty with Britain in 1846, the 49th parallel was made the northern boundary of our part of the "Cregon country". By the treaty of 1848 and the Gadsden purchase of 1853 we acquired the Southwest, including California and the region north of the Rio Grande. In 1867 Russia sold us Alaska and in 1898 from Spain we acquired Porto Rico, the Philippines and some smaller islands. Hawaii had also been annexed in 1898.

CHAPTER XXI.

The National Congress

The composition of Congress is determined by Article I of the Constitution. Congress is bicameral, as were all the state legislatures except those of Pennsylvania and Georgia at the time of the adoption of the constitution. The Senators represent the states while the Representatives represent the people.

House of Representatives

The House of Representatives consists of Representatives chosen every second year by the people of the several states.

Except in Oregon, Maine and Vermont, the congressional elections occur on the Tuesday after the first Monday in November in the even numbered years. The quota, assigned by Congress after each census to each state, is distributed among the congressional districts by the respective state legislatures, and thus in a narrow sense a member of the House represents a district, except congressmen-at-large. Any person in any state, who is entitled to vote by law for the members or the more numerous branch of the state legislature, may vote for a Representative in Congress. Thus the qualifications of voters are determined by the states, not by the National Government.

Qualifications of Members

The qualifications for representative are: 1. He must be at least twenty-five years of age. 2. He must have been at least seven years a citizen of the United States. 3. He must be an inhabitant of the state from which he is elected. Representatives are apportioned among the states according to the number of inhabitants, excluding from that number Indians not taxed (i. e. in tribal relations).

Apportionment and Quota

The apportionment is always made after each dicennial census, the first of which was in 1790. Congress fixes the number of representatives that shall constitute a Congress for the next decade. The whole number of people is divided by the number of representatives and the quotient is the number of inhabitants entitled to one representative, which is called "the ratio of representation." The representation to which each state is entitled is found by dividing the population of that state by the ratio of representation. At the time of the adoption of the Constitution there was one representative for every 30,000, or 65 in all; from 1893-1903 the ratio was 173,901, making 357 in all; after 1903 to 1913 it is 194,182, making 391 in all, counting Oklahoma with its five additional representatives. (Compare with 670 in English House of Commons, 584 in French House of Deputies and 396 in German Reichstag). By this apportionment Illinois gained three members; and Delaware, Idaho, Nevada and Wyoming have each a population less than the ratio, but each is entitled to a representative for the constitution provides that each state shall have at least one member.

The organized territories are each entitled to send to the House one delegate, who is allowed to speak on any question, but not to vote. Illinois has twenty-five districts, of which ten are in Chicago.

Every congress has a legal existence of two years, beginning the fourth of March of each odd year. Congress convenes the first

Monday in December. Congress holds two sessions, the long and the short. The first session is always the long session, and is the session of the odd years. Vacancies are filled by new elections ordered by the governor. The president may convene Congress in extra session if any important emergency arises. The various congresses are designated by number, that convening December 2, 1907 is known as the first session of the *Sixtieth* Congress. Sessions

The House organizes by electing one of its members as speaker to serve two years. Other officers, as the clerk (a very influential officer and usually an ex-member), sergeant-at-arms and chaplain, are not members. The Speaker is probably the most important and influential official in the United States Government. His chief powers are four in number: 1. He appoints all of the committees and selects the chairmen, (of over fifty committees). 2. He assigns to the different committees the bills which the House wishes to commit. 3. He recognizes whom he pleases on the floor: this is to prevent "filibustering". 4. He is chairman of the Committee on Rules, which consists of the five ablest men of the House and practically arranges the program of business of the House. The Speaker

There are now in Congress three territorial delegates (Arizona, New Mexico and Hawaii) and one "commissioner" (Porto Rico).

Though there is no "national suffrage law" yet in a contested election case the candidate who, on the face of the returns, receives a plurality of the votes cast, receives a certificate of election from the Governor of the state and is permitted to take his seat in the House when that body organizes. The case is then carried before the House Committee of elections, before which the two contestants argue the case, the expenses of which trial are paid by Congress, and when the Committee reports to Congress the contest is usually decided by a party vote. Suffrage

The House has the following special powers: 1. The sole power to present articles of impeachment. This is done by a "managing committee" which conducts the case before the Senate, which has the sole power of trial. 2. All bills for raising revenue must originate in the house. The Senate may amend but must not originate. Special Powers

The Senate is composed of two senators from each state, chosen by the legislature of the state for a term of six years. The members of each branch of the state legislature meet the same day, and vote *viva voce* for a senator. On the next day, the two houses meet in joint convention and if the same person received a majority in each house the day before, he is declared elected. If no person has received such majorities, then the two houses, sitting as one body, proceed to vote *viva voce;* and if a majority of each house is present, the person who receives a majority of the votes cast is elected. If there is no choice on the first day they are required to meet in joint session and take at least one ballot each day until a choice is made or the legislative session ends. This method is prescribed by an Act of Congress passed in 1866, previous to which time it had been left to the states by Article I, Section 4. Senators: How Elected

The person elected is usually of the same political party as the

majority of the legislature. Even under the present arrangement there are frequent deadlocks, and states have frequently failed to have full representation in the Senate, as Delaware in 1902. In case of a vacancy by death or resignation the governor may appoint until the meeting of the next legislature. But in case of failure of legislatures to elect the Senate has always refused to admit ad interim appointees of the governor. In Nebraska, under the present constitution (1875), the voters are allowed to express preference for senator at the regular November election.

Qualifications of a Senator

The qualifications of a senator are: 1. He must be thirty or more years of age. 2. He must have been at least nine years a citizen of the United States. 3. When elected he must be an inhabitant of the state. The presiding officer of the Senate (President) is the Vice President of the United States, who is not chosen by that body but is elected at the same time and in the same way as the President. The other officers of the Senate are: Secretary, Chief Clerk, Sergeant-at-Arms, Chaplain, Postmaster, Librarian and Doorkeeper, with many pages, clerks, etc. These officers are not members of the Senate. The Senate elects a President pro tempore, one of the senators, who presides in the absence or disability of the Vice President. The Vice President has no vote "unless they are equally divided," but the President, pro tempore, may vote on any question but cannot cast the deciding vote in case of a tie. The Senate is a "continuing body" and no formal organization is necessary at the opening of a new Congress, as one-third of the members are elected every two years.

Officers

Organization of Congress

At the opening of a new Congress the Vice-President calls the body to order and the other officers resume their duties. After the President pro tempore is chosen, the newly-elected members are "sworn in" and after each House is organized, each informs the other of the fact and a joint committee is appointed which informs the President of the United States that quorums are present and are ready to receive communications from him.

In the House the organization is entrusted to the Clerk of the preceding House, who makes a list of members from the credentials, calls the roll and announces the business of the election of Speaker.

In the House the Committees are appointed by the Speaker, but in the Senate the Vice-President does not appoint the fifty or more committees, but they are appointed by the management of the party having the majority in the Senate.

Other Powers of Senate

Besides its legislative functions the Senate has one judicial function: 1. To sit as a court for the trial of impeachment; and two executive functions; 1. to approve or disapprove the President's nomination of federal officers; and, 2. to approve by a majority of two-thirds of those present, of treaties made by the President; otherwise the treaty is void.

When any "civil officer" of the United States is impeached by the House of Representatives for "treason, bribery or other high crimes or misdemeanor" the Senate convicts by a vote of two-thirds of Senators present and conviction carries with it only removal from office and disability to hold

Impeachment

any other offices under the United States. Impeachment has been used only seven times in all and only two convictions: Andrew Johnson, President 1868, (impeached 126-47); acquitted 35 to 19. The two persons convicted were both district judges of the United States: Pickering of New Hampshire in 1804, (drunkenness and profanity), and Humphreys of Tennessee 1862, (disloyalty). Four others have been tried and all acquitted: Supreme Justice Chase, 1805; Judge Peck of Missouri, 1830; President Johnson, 1868; Secretary of War Belknap, 1876. In 1797 Senator Blount of Tennessee, was impeached by the House, but the Senate decided by 15 to 11, that Congressmen were not civil officers of the United States.

Pay and Privileges

Senators and Representatives receive $7,500 per annum, paid out of the United States Treasury, and mileage, 20 cents per mile for traveling to and from a session of Congress. Both members and Senators are allowed $125 a year for postage, stationery and newspapers.

Members of both houses are privileged from arrest while attending a session except for felony or breach of the peace. No Congressman can be questioned in another place for any utterance in either house. Congressmen cannot hold a civil office under the United States, nor can civil officers become Congressmen, nor can a member of the Cabinet sit in either House.

Rules and Quorum

The constitution does not provide any method whereby legislative power may be exercised. Each Congress, therefore, elaborates a set of rules of procedure; each House being the final judge of the elections, returns and qualifications of its own members and by its rules punishes its members for disorderly conduct and may, by a vote of two-thirds, expel a member. The Constitution provides that a majority shall constitute a quorum to do business and that each House shall keep a Journal of its proceedings; the debates do not appear in the Journal (which is also published) but are published in the "Congressional Record," which appears daily.

Frequently instead of actually delivering his speech a member asks "leave to print"; many speeches thus not actually delivered are distributed for campaign literature. The yeas and nays of the members of either House on any question must be entered on the journal if one-fifth of those present shall desire it.

Bills, Resolutions and Acts

A measure, before it becomes a law, is either a bill or a joint resolution. A bill that has passed both houses and been signed by the President, or otherwise been "approved," is an Act and as such is the law of the land.

Committees

Lack of time prevents the separate consideration by the whole Congress of every matter before it. That measures may be thoroughly investigated each House of Congress is divided into a large number of committees. Each committee busies itself with a certain class of business; and bills, when introduced by a member, are referred to this or that committee for consideration, according to the subjects to which the bill relates. The committee then takes it up for consideration and may amend or change it as it pleases, after which the bill is, or is not, reported back to the chamber with a favorable or an adverse report.

On Mondays there is a roll-call of the states (first and third Mondays of each month) and then if a member has a bill to introduce he takes it to

the desk of the presiding officer, or to the Clerk and the title is read when the roll of the states is called. This is called the "first reading", (being the title only). If the committee reports a bill back, (most bills never "get out of committee"), it is put on one of three calendars: 1. Revenue or Appropriations Calendar. 2. Public bills, not regarding appropriations. 3. Private bills.

Order of Passage of Bills

Bills are not taken up in the order on the calendar, but in accordance to importance as determined by the Committee on Rules (House). Reports from standing committees are usually called for at each daily session and a favorable report is a great help in the passage of a bill.

When a report of a committee is received the bill is then printed and distributed among the members. Every bill must be read publicly by the Clerk three times, generally on separate days, but by unanimous consent the House may order the three readings all in one day. When the bill is before the House on second reading, it may be amended and debated.

When tax and appropriation bills are considered in the House they are debated in Committee of the Whole, at which time great freedom of debate is allowed. After passing second reading the bill is engrossed: then it is read a third time and put to vote.

The House allows comparatively little debate, but in the Senate there is no "Cloture rule", limiting debate. "Filibustering" is now practically impossible in the House, but still common in the Senate.

A majority vote is necessary for the passage of a bill, and the vote is taken: 1 By viva voce, yeas and nays. 2. By a rising vote. 3. By roll call of yeas and nays on demand of one-fifth of members.

Fate of Bills

About one bill in eight becomes a law. Of 4000 bills introduced in the Senate of the Fiftieth Congress 1681 passed the Senate. Of these 667 passed the House and were sent to the President, who vetoed 76, thus permitting 791 to become laws. The first session of the Fifty-first Congress was the longest, with one exception ever held. During that session there were introduced in the House 12,402 bills and resolutions, and in the Senate 4570, making 16,972 in all; of which 1335 finally passed. Of the 14,500 bills of the Fifty-fourth Congress only 948 became laws. In the 137 working days of the Fifty-sixth Congress 12,152 bills were introduced, of which 1215 became laws. In the Fifty-seventh Congress 17,560 bills were introduced, of which 2,781 became laws. During the two sessions of the Fifty-ninth Congress 35,000 bills and resolutions were introduced, but only 522 became public laws; while 7600 private pension bills were passed. This Congress appropriated $919,900,000.

Veto

After the bill is passed it is formally sent to the other House, and if there passed it is ready for the President's signature. If vetoed, the bill is lost, unless passed over the veto by a two-thirds vote of both Houses. The President has ten days in which to deliberate and if the bill is not returned by him to Congress in that time it becomes a law without his signature. If, however, Congress adjourns before the ten days expire, and before the given measure has been returned to Congress, the measure is lost. This is called a "pocket vote." If the Houses disagree in regard to a bill it is often referred to a "Conference Committee" which reports a compromise measure which is frequently passed by both Houses. The majority rules Congress through the **Party Caucus** which practically selects the Speaker and determines in advance which measures must be passed and which rejected.

CHAPTER XXII.

Powers of Congress

Section 8, of Article I, of the Constitution, contains 18 clauses enumerating the powers of Congress. Congress shall have power to lay and collect various forms of taxes, which shall be uniform throughout the Union, to pay debts and to borrow money on the credit of the United States.

Taxes ("contributions imposed on individuals by Government for the services of the State,") are **direct**, such as those levied on land and on individuals, as capitation-taxes, which are to be apportioned among the several states in the same manner as representatives; and **indirect**, as those levied on articles of consumption, and generally called **duties, imposts** and **excises.**

Taxation, Direct and Indirect

Duties are those levied on imports (duties on exports being forbidden), and are **specific**, or levied by quantity or weight, without reference to value, and **ad valorem**, or according to value. Duties are collected in the custom house where the dutiable goods are landed. There are 150 "ports of entry" in the United States, in each of which is a custom house presided over by a collector, and a surveyor of customs. A direct tax comes from the property of the nominal payer, while an indirect tax is assessed on one person but is really paid by another. When the Constitution was adopted it was expected that most of the expenses of the Federal Government would be met by direct taxation, apportioned among the states; but it has been found so difficult to collect the direct taxes that the United States has levied them but five times in our history in 1798, 1813, 1815, 1816, and 1861, and then for one year only at each levy; the twenty millions per annum levied in 1861, was annulled at the end of the first year, and was found so difficult to collect that it was all refunded in 1891.

Tariff

The income tax of 1894 (2 per cent on the excess over $4,000 on incomes over $4,000) was declared by the Supreme Court to be a "direct tax" and therefore must be apportioned and hence the law was declared unconstitutional. Therefore the revenue of the Federal Government is derived entirely from **indirect** taxes, known almost exclusively as duties, on imported goods, and **excises**, taxes levied on the manufacture and sale of commodities. A schedule of rates of duties is called a **tariff**, and when it is considered wholly with reference to the raising of money for expenses, it is called a "tariff for revenue," but when the rates are fixed with the purpose of encouraging certain forms of industry it is called a "protective tariff." The interpretation of this question has been a frequent source of political strife.

Internal Revenue

Excises are commonly spoken of as Internal Revenue and are now levied on Liquors, Tobacco, Snuff, Opium, Oleomargarine, Filled Cheese, Mixed Flour and Playing cards, and paid usually by the purchase and use of adhesive stamps, under the supervision of an officer in the Treasury Department known as the Collector of Internal Revenue. Distilleries are under the supervision of government "store keepers who inspect and record each step in the manufacture of spirits. A "guager" measures the contents of each package and affixes the stamp. In the manufacture of fermented liquors, proprietary articles and tobacco, the manufacturers themselves affix the stamps.

The list of articles taxed by excise greatly increases in time of war.

In 1898 additional items were added such as taxes on bankers, brokers, billiard rooms, legacies and legal documents, raising the revenue from one hundred and seventy million dollars in 1898 to two hundred and seventy-three million dollars in 1899. Most of these were repealed in 1901.

Receipts and Expenditures

About 50 per cent of all articles imported into the United States are dutiable and the rates run from 25 per cent to 140 per cent of the purchase price. In 1904 the net government receipts from all sources were $540,000,000, of which $261,000,000 came from customs and $233,000,000 from internal revenue. The remaining $46,000,000 were derived largely from sale of public lands and receipts from the postoffices. The expenditures in 1904 exceeded the receipts by over $17,000,000, being divided as follows: (Net $557,000,000); War, $115,000,000; Nav y, $102,000,000; Pensions, $142,000,000. Interest Public Debt, $24,000,000 and the balance largely for Civil Service, Indians and Postoffice Department. In 1907 the receipts (net $665,306,134.92) exceeded the expenditures (net $578,360,592.15).

As revenue bills originate in the House of Representatives so no money can be expended from the Treasury except by appropriation through an Act of Congress, the annual appropriations now average about $900,000,000.

The Public Debt

Congress can borrow money in two ways: 1. By issuing bonds bearing a certain rate of interest (2 per cent to 4 per cent), running 20 or 30 years, sold usually at a premium and distributed through banks. The public debt now includes nearly a billion dollars worth of such bonds of which nearly one-half are at 2 per cent. As they are not taxable they are in great demand and command a great premium. 2. By issuing Treasury (promissory) notes, some of which bear interest and known as "seven-thirties," "ten-forties," and "five-twenties," the seven-thirties being 7 per cent payable in 30 years, and the other two payable in less than ten and five years, respectively, nor more than forty and twenty years. Most Treasury notes now in circulation are non-interest bearing and are called "legal tenders," for the law made them legal tender for all debts, public and private.

Congress has the power to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes, but there must be no tax upon articles exported from any State nor may preference be shown among the States nor shall vessels pay duties on inter-state commerce.

Foreign and Domestic Commerce

Under this Congress protects shipping, by maintaining light houses, buoys, and life saving stations, declares what places shall be ports of entry for cargoes, and the rules for entering and leaving ports, frames rules for the government of seamen on American vessels, protects the crews, bottoms and cargoes of American vessels, declaring only those to be American, registered as such, that are American built and owned by American citizens, and that only American vessels can engage in the "coasting trade." Under this head Congress provides for American consuls, makes coast and geodetic surveys, clears harbors and rivers, (particularly at the mouth of the Mississippi), and enacts laws respecting pilotage, quarantine, and wreckage, "inspects" steamers and boilers, and exercises a large control over railroads, steamboats, telegraphs, etc.

Under this heading Congress can control lotteries, liquor selling, (see the "original package case" of 1888 in Iowa and the South Carolina dispensary case of 1897), Immigration, (excluding Chinese, convicts, insane, pau-

pers, polygamists, diseased persons, and laborers under contract, except professional and skilled laborers in new industries), and corporations doing an interstate business, such as railroads, insurance companies and other large corporate "trusts." Immigration

To prevent "pooling" and rate "discrimination" in 1887 Congress passed the Interstate Commerce Act, applying to all "common carriers" from State to State, which creates a Commission of five persons which has power to declare rates unjust and enforce its decisions through the courts. The law requires that all charges shall be "just and reasonable," that there shall be no discrimination in favor of any person or corporation, (including the granting of passes to those not employes), by the "long and short haul clause" railroads must charge the same as the competing line having the shortest mileage between two interstate points, all rates must be posted and published, and the Commission must supervise the law. In 1906 the Rate Bill was passed by which the Interstate Commerce Commission is enabled to fix interstate railroad rates, extended the power of the Commission and made all orders of the Commission effective within 30 days, with a penalty of a fine of $5000 a day for delinquency, imprisonment, or both. Railroad Regulation

In 1890 an Anti-trust law was passed making illegal any combination in restraint of trade or commerce. (Under this law in 1894 the Supreme Court decided combinations of labor as illegal as combinations of capital). In 1903 another similar law was passed providing for the immediate trial of cases involving the law in the Circuit Courts with appeal to the Supreme Court. Anti-Trust Measures

In 1903 a Commissioner of Corporations was created in the Department of Commerce who investigates the organization, conduct and management of interstate corporations, and in the same year the Elkins Anti-rebate bill made it illegal to give or accept any rebate of transportation charges. It is probable that these are but first steps in very widespread socialistic legislation.

Under this head the Panama Interoceanic canal is being built, and under it protective tariffs and "reciprocity" treaties are being enacted. Through protection to industries the value of our manufactured products have increased seven-fold since 1860, although our population has only doubled in the same period. Panama Canal

Congress may coin money, regulate the value thereof and of foreign coin, fix the standard of weights and measures and establish uniform bankruptcy laws.

Government money is coined at the mints in Philadelphia, New Orleans, Denver and San Francisco (Carson City, also); Assaying, (determination of the purity of the ore) is done at Assay offices in New York, St. Louis, Deadwood, Helena, Boise City, Seattle and Charlotte, (N. C.) In the mint the pure silver is alloyed with copper (and silver, for gold), and 9-10 of the coin only is pure metal. Under regulating the value arose the "Greenbacks" and "Silver" questions.

Gold is now the "standard money of the United States," by the Act of 1900. Silver, subsidiary coin and paper circulate on account of exchangeability for gold at a Sub-Treasury or the Treasury. Coinage and Currency

Congress has not by law "fixed" the standard of weights and measures, though it has legalized the metric system. Congress has found great difficulty in passing laws regarding bankrupts (by which when an insolvent's property is divided among his creditors he is legally discharged from making further payment). Congress has passed four such laws, in 1800, 1840, and 1867, (which three were repealed) and the present law of 1898. State laws prevail when there is no national bankrupt law.

The process by which a foreigner becomes a citizen is called Naturalization. By Amendment XIV citizenship applies to white persons and persons of African descent. By an act of 1882 Chinese cannot be naturalized, and it has also been denied to natives of Japan and Burmah. The Supreme Court has decided that a child born in this country of Chinese parents is a

Naturalization

citizen. Naturalization requires: 1. Five years residence in the United States and one year in the state. 2. Two years preliminary declaration of intention. 3. Oath to support the Constitution. 4. Renunciation of all foreign titles to order of nobility. 5. Abjuration of foreign allegiance.

Marriage naturalizes the wife, if she herself might lawfully be naturalized. Children born of United States citizens abroad are held natural born on return to this country. Naturalization does not give suffrage; that depends on State Legislation.

The power of Congress to punish counterfeiting is evolved naturally from the power to coin and regulate money.

Congress has power to establish postoffices and postroads. Out of these few words Congress has created a vast postal system at an annual cost of about $100,000,000.

Postal System

The contract for carrying the mails is given out by the United States to the lowest responsible bidder. All postmasters whose salaries are $1000 or more a year are appointed by the President for a term of four years; all others by the postmaster general. The postmasters in the smaller places receive a percentage of the income of their offices. All towns in which the gross receipts of the postoffice amount to $10,000 or over have free mail delivery, by letter carriers. Less than 5000 postmasters are appointed by the President while over 72,000 are appointed by the postmaster general.

The United States postal establishment is the greatest business concern in the world, and it is the only national mail system that is run at an annual loss, a deficit of about 14 millions in an annual expenditure of about $167,000,000. This is due to the abuse of the "second class matter" privilege and to the cost of establishing rural free delivery, which cost over $12,000,000 in 1906. It employs over 100,000 people in connection with over 75,000 postoffices, distributing in average of 100 pieces of mail matter per year for every man, woman and child in the land. In 1897 Congress inaugurated a free delivery system in country districts and the movement is so popular that there are over 20,000 rural delivery routes established and many being added year by year.

Congress has the power to regulate the granting of patents copyrights and trade marks.

Copyrights, Trade Marks and Patents

Any person desiring a copyright must deliver to the Librarian of Congress before publication a printed copy of the title of the book or device, or a description of the painting or other design, and after publication two complete copies must be filed with the Librarian. These must be made entirely in the United States and during period of copyright foreign importation of copies is prohibited. A fee of fifty cents is charged for making record and another fifty cents for making a copy of record. The copyright runs for 28 years and may be renewed for 14 years. By the Act of March 3, 1891, Congress included foreigners in the operation of the copyright law.

A person desiring a patent must file a petition alleging priority of invention and a description of the article with drawings. $15 is charged for filing the application and $20 for issuing patent. The patent is issued for 17 years and may be extended for 7 years longer by the Commissioner of Patents or by special act of Congress. A Caveat is a description of a proposed invention and by it the inventor is given a year to complete his work and file his petition. The Patent office is self supporting.

Out of 1,729,147 patents issued up to 1897 in all countries overe one-third have been issued in the United States. The number of patents issued since the Bureau was established in 1836 to 1902 was 702,934. In 1906 there were 31,965 patents issued.

Congress has power to punish piracy (robbery at sea) and felonies upon the high seas and offenses against the law of nations.

Piracy is punishable by death, and slave traders are generally held as pirates. In addition to this Congress has extensive criminal jurisdiction over the territories, the District of Columbia, United States forts, arsenals, navy yards, etc. Congress has the power to constitute tribunals inferior to the Supreme Court. (This is treated in the chapter on Federal Judiciary). Piracy

Congress declares war (among European nations war is generally declared by the executive); grants letters of "marque and reprisal," (papers empowering private citizens to seize vessels and cargoes of the enemy, creating "privateers.") In the Spanish War of 1898 the United States declared against privateering and forbade it, while Spain declared for it, though no privateers were commissioned. War, Privateers and Prize Cases

Congress makes rules concerning captures on land and water ("prize laws"). Congress has the power to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; and to provide and maintain a navy.

Previous to 1898 the regular army contained 27,000 enlisted men, 31,472 in all. By the Act of February 2, 1901, the strength was increased temporarily to a maximum of 102,258 and a minimum of 57,870 enlisted men. The enlisted strength of the army as organized now (since 1904) is 57,946. (Compare with England, 324,653, France, 498,003; Germany, 605,975; Russia, 1,100,000; Austria, 391,766.

Officers enter the army through one of three channels. 1. Through graduation from the United States Military Academy at West Point. 2. Through appointment from the ranks, by examination and promotion of enlisted men. 3. By the appointment of six civilians a year from the best private military schools. The Army

The West Point Military Academy was established in 1802. One cadet is appointed from each Congressional District, one from each Territory, Porto Rico and the District of Columbia. Two at large from each state (by Senators, usually), and forty, at large from the whole country, by the President. The last group consists usually of the sons of military officers. After a four years' course graduates are entitled to a commission as second lieutenant. By the constitution the President commands the Army, but it is really commanded by the Chief-of-Staff who acts under the President and the Secretary of War. The Chief-of-Staff is usually the Lieut-General of the Army, or sometimes a major general. We have had but four Generals in our history, Washington, Grant, Sherman and Sheridan; the office is now abolished. In war the army is divided into two corps, each commanded by a major general ($7,500); there are several divisions in each corps, each commanded by a major-general, or a brigadier-general ($5,500); each division is divided into brigades, commanded by brigadier-generals; each brigade consists of regiments, each regiment containing three squadrons or battalions, of four troops or companies each. A regiment contains thus 12 companies of 65 men each, making 780 men, with 36 officers, in all 816 men to a regiment. A colonel ($3,500) assisted by a lieutenant-colonel ($3,000) commands a regiment. A major ($25,000) a battalion; a captain, ($1,800) a company; and each platoon of a company is commanded by a first lieutenant ($1,500) or a second lieutenant ($1,400). Mounted officers receive more than unmounted, and there is an increase for every five years of service, with retirement on half pay at age of sixty-five. In 1904 the army contained 15 regiments of cavalry, 12,260 men; 126 companies of coast artillery, and 30 batteries of field artillery, 17,742 men; and 28 regiments of infantry, 28,848, making in all 57,946, counting the engineers and other corps. In addition to this there are two battalions of Porto Rican infantry, and 50 companies of West Point

Philippine Scouts, officered by white officers. In 1905, the additional militia, ready and equipped for service, numbered 111,2&v officers and men.

By an order of 1904 the country was divided into five geographic divisions, each commanded by a Major General, each including Departments, commanded by Major Generals or Brigadier Generals. 1. Atlantic Division, with two departments. 2. Northern Divisions with three department. 3. Southwestern. Divisions, with two departments. 4. Pacific Division, with two departments. 5. Philippine Division, with three departments.

The Militia

Congress may call forth the militia to execute the laws of the Union, suppress insurrection and repel invasion. The States have the appointment of the officers and the training of the militia, but under the direction of Congress. The militia consist of all able bodied men between 18 and 45 years of age, ove 10,000,000 in all, but only about 10 per cent of this number is enrolled.

The militia has been called out but three times in our history by the United State Government, in 1794, during the "Whiskey Insurrection," (15,000); in 1812 and in 1861, (three separate calls, in all of 475,000), although during the Civil War the States furnished in all 2,656,553 men, they were mostly enrolled as "volunteers," as they were also in 1846 and in 1898 (200,000 in all in response to two calls). As the militia cannot serve out of the country the substitute of "volunteers" is necessary.

The Navy

In the earlier years of our history our navy found little favor in popular estimation; in fact, it was considered of doubtful utility until enthusiasm was aroused by the War of 1812. Our navy, in a modern sense, did not commence until 1883, but it has grown so rapidly, through the fostering of Congress, that it now ranks next to the navies of England, France and Germany.

The fighting strength of a ship is called its "rate," and is the same for battleships and cruisers. Our twelve battleships are named after states, (two first rates and one second rate); our armored and protected cruisers are all named after cities, (gunboats being named after smaller cities, cruisers after large cities); the other vessels of our navy are named at the will of the President. Our navy consisted in 1906 of 302 vessels, of which 45 were under construction and 23 were unfit for service. Officers for the navy are trained in the Naval Academy at Annapolis, (established 1845). Two midshipmen are appointed by each representative, senator and each delegate; and two from the District of Columbia, and one from Porto Rico. The President appoints five each year at large. The course is four years in the Academy and two years at sea. There is a War College at Washington, and training ships in various navy yards. Rank and pay: Admiral, $13,500; First Nine Rear Admirals, $7,500 at sea (on shore, $6,375); Second Nine Rear Admirals, $5,500 ($4,675); Captains, $3,500 ($2,975); Commanders, $3,000 ($2,550); Lieutenant Commanders ,$2,500 ($2,125); Lieutenants, $1,800 ($1,530); Lieutenant (junior grade), $1,500 ($1,275); Ensigns, $1,500 ($1,190). There is also attached to the navy a sort of police and military force, called the Marine Corps, which is commanded by a Brigadier General of Marines and has the rank and pay of corresponding grades in the army. In 1906 the navy had 37,000 enlisted men and 9,049 marines.

Congress shall have power to exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by session of particular States and the acceptance of Congress, become the seat of the government of the United States." By a law of 1790 the cession by Maryland and Virginia of the tract,

now including the present District of Columbia, was accepted by Congress. In 1846 the part granted by Virginia was receded to that state. District of Columbia

The location of the capital was due to a compromise of conflicting interests. Hamilton and his party, (the North) wished to have the United States assume the debt of the States incurred previous to the adoption of the Constitution; the North wished the capital located at New York, Philadelphia, (Germantown) or on the Susquehanna; the South, led by Jefferson, wished the capital on the Potomac and was opposed to the assumption of the debts of the States. A compromise was effected through the influence of Hamilton and Jefferson, by which Philadelphia received the capital from 1790 to 1800, the United States assumed the State debts and the capital was permanently located at (what was afterwards) Washington on the Potomac, within a few miles of Mount Vernon. Previous to 1800 the capital has been located at the following places: Philadelphia, 1774; Philadelphia, 1775; Baltimore, 1776; Philadelphia, 1777; Lancaster, Pennsylvania, 1777; York, Pennsylvania, 1777; Philadelphia, 1778; Princeton, 1783; Annapolis, 1783; Trenton, 1784; New York, 1785; Philadelphia, 1790.

"Elastic Clause"

The last clause of Section 8, Article I, is known as the "sweeping clause" because by it the government is given full national powers, and by it, Patrick Henry thought Congress would overthrow the States. This is sometimes called the "elastic clause" for under it by the doctrine of "implied powers" the government has been greatly centralized and elaborated.

Constitutional Restrictions

In addition to the restriction upon the general government of the First Eight Amendments, the Constitution expressly prohibits any ex-post-facto law, or bill of attainder, that direct taxes must be levied in proportion to population, that no title of nobility shall be granted and that no money may be drawn from the Treasury, except by legal appropriation. In addition the Constitution puts the following restrictions upon the States: 1. No State shall enter into any alliance, treaty or confederation. 2. Grant letter of marque and reprisal. 3. Coin money. 4. Emit bills of credit. 5. Make anything but gold and silver a legal tender. 6. Pass bills of attainder, ex post facto laws or laws impairing the obligation of contracts. 7. Grant any title of nobility; perform certain other powers compatible only with state sovereignity.

CHAPTER XXIII.

The Executive

The Executive

Article II of the Constitution deals with the Executive, and from it we observe that: 1. The executive is vested in one person, elected for four years and that the Vice President is elected at the same time. 2. That the Vice President is a member of the Legislative branch, except in case of the death or disability of the President, when he acts as President. 3. That the qualifications for President are: A native born citizen of the United States; must be 35 years of age or more; must have been 14 years a resident within the United States. The qualifications for Vice President are the same as those of President.

4. By this article, as superseded by the XII Amendment, the President and Vice President are elected by electors (no one of whom must be an officer of the United States), chosen (as fixed by Act of 1845) the Tuesday after the first Monday in November, at the same time in all the States, with the names of all the electors in each state on a general ticket. Each state is entitled to as many electors as it has representatives in Congress, one for each senator and one for each representative.

Although electors are now chosen in all the States on a general ticket and voted for by all the people at the same time, there have been three other different methods used previously. a. Elected by joint ballot of the State Legislature. b. Elected by a concurrent vote of the two branches of the Legislature. c. By the people voting in districts.

Election of President and Vice-President

After the election of the electors, those elected meet on the 2nd Monday in January (by Act of 1887) to vote for President and Vice President at the state capital. The electors give separate votes for President and Vice President by ballot. They then make, sign and seal three certificates of all the votes given, and certify on each certificate that there is contained within a list of the votes of the electors of the state for President and Vice President. One is delivered to the United States District Judge for the district in which they are assembled; a second is sent by mail to the President of the Senate; and the third is sent by special messenger to be delivered in person to the President of the Senate. The votes (certificates) are opened by the President of the Senate and counted, state by state, in alphabetical order, in the presence of both houses of Congress in the Hall of Representatives. The aggregate vote is declared by the presiding officer.

5. If no person receives a majority of the votes cast by the electors the choice of a president is referred to the House of Representatives, the choice being restricted to the three highest candidates. The vote is taken by States and there must be a quorum present of two-thirds of the states. The House must continue voting until an election results or until the 4th of March next following and if there is no election, "the Vice President shall act as President."

Election by the House and by the Senate

6. If there is no election of Vice President the Senate immediately proceeds to choose a Vice President. A majority of the whole number of senators is necessary to a choice, and two-thirds constitutes a quorum.

Until 1887 there was no law concerning who should decide as to the credentials of electors, in case of the certification of two or more sets of electoral votes; in 1876 the Senate being Republican and the House Democratic there could be no agreement as to the 21 disputed electoral votes (two sets of electors) from Florida, South Carolina, Louisana and Oregon. It was finally decided to refer the 21 votes in dispute to an Electoral Commission consisting of 5 Supreme Court Judges, 5 Senators and 5 Representatives. Two days before the inauguration by a vote of 8 to 7 the commission awarded all the disputed votes to Hayes and Wheeler who were thus elected by 185 votes over Tilden and Hendricks, who had 184 votes. To avoid future complications of this character a law was passed providing that the State authorities, executive or judicial, would be the sole and final arbiters of all contests regarding electors.

Electoral Commission

In ten elections the candidate receiving the majority of the electoral vote has failed to receive the majority of the popular vote; as in 1876, Tilden received more than 250,000 over Hayes, who had one more electoral vote. This evil has never yet been remedied. Two men have been elected to the Presidency (owing to failure to receive a majority of the electoral vote), by the House. Jefferson and Burr (before the XII Amendment) in 1800 received 73 votes each and after thirty-six ballots Jefferson was selected. After the XII Amendment, in 1824, Jackson received 99 votes, Adams 84, Crawford 41 and Clay 37. As the House votes only on the three highest Clay gave his votes to Adams who was elected. At the election of Van Buren in 1837 it was found that Richard M. Johnson did not have a majority of the electoral votes at Vice-President, and that the two highest on the list were Johnson and Granger. The Senate at once proceeded to the election of a Vice-President and the first ballot elected Johnson by a vote of 33 to 16. This is the only occasion that the choice of a Vice-President devolved on the Senate.

Contested Elections

The Vice-President has filled the Presidential chair in five instances: Tyler succeeded Harrison in 1841; Fillmore, Taylor in 1850; Johnson, Lincoln in 1865; Arthur, Garfield in 1881; and Roosevelt, McKinley in 1901.

By the Act of 1886 it is provided that in case of the death of both President and Vice-President, the succession shall be in order as follows: Secretary of State, Secretary of the Treasury, Secretary of War. Attorney General, Postmaster-General, Secretary of the Navy and Secretary of the Interior. Salary of President $50,000 (previous to 1873, $25,000); Vice-President, $8,000. It cannot be changed during term of office.

Succession Act

CHAPTER XXIV.

The Powers of the President

Powers of the President

The powers of the President are enumerated in Sections 2 and 3 of Article II of the Constitution. His powers are as follows: 1. He is commander-in-chief of the army and navy and of the militia in actual service. 2. He may require in writing the opinion of the chief officer of the Executive Departments. 3. He may grant reprieves and pardons for offenses against the United States, (impeachment excepted). 4. He may make treaties, by and with the consent of the Senate, (two-thirds present concurring). 5. He shall appoint, by and with the consent of the Senate diplomatic officials, Federal Judges and all other Federal officers (not otherwise provived for). 6. He fills vacancies during the recess of the Senate, to expire at end of next session. 7. He shall inform Congress from time to time on the state of the union, and advise necessary measures. 8. He may convene Congress in extraordinary session, and in case of disagreement adjourn Congress. 9. He receives ambassadors and public ministers, and 10. Takes care that the laws are faithfully executed and commissions all officers of the United States. Of these powers those most important are those regarding *appointments,* the *recognition of executive departments* and the *treaty making power,* the last of which we have already considered.

Civil Service Act

Previous to 1883 the President appointed, directly or indirectly, all executive Federal officers; he named many of them himself and others were named by the Heads of Departments, who were the appointees of the President. In 1883 the first effective Civil Service Act was passed (Pendleton Act). This Act provided for competitive examinations to be held for certain specified positions, and provided that for these positions only those passing the examination could be appointed. The appointments must be distributed throughout the States in proportion to population. Since then this merit system has been extended until it protects 135,482 Federal officials, all of a non-political and clerical nature, called the "classified service."

There are about 125,000 Federal officials who are not in the Civil Service classined service and who are appointed by the President, directly by and with the consent of the Senate, or indirectly through the Heads of Departments, and of these nearly 72,000 are fourth class Postmasters, (under $1000 per annum) appointed by the Postmaster General. There are about 5000 officers requiring confirmation by the Senate, and of these over 3500 are "Presidential" Postmasters; and of the 1000 and more who remain many of them are appointed by the President at the suggestion of the Senators from the State wherein the appointment is. There are 280,000 positions in the executive Civil Service, with a total expenditure for salaries of about $180,000.000.

Spoils System

The Constitution contains no provision regarding removals from office. Previous to 1820 it was the policy of the Government that non-political offices should be filled without regard to any personal or political favor and that an

officer might retain his position so long as he rendered faithful and efficient service. During that time there were only 74 removals, and five of these were defaulters. In 1830 Secretary Crawford secured the passage of the "four years Tenure Act", making all officers of a certain type hold office only for four years. This created rotation in office and out of it grew the "spoils system", perfected by Jackson, who removed during his first year of office ten time as many officials as in the ten preceding administrations. This abuse is now partially remedied as those in the classified service can not be removed except on serious charges. In 1902 the Civil Service Commission (consisting of three men, no two of whom shall be of the same political party as the third) filled 121,000 of the 235,000 Federal offices, 109,000 only after examination. In 1906, 122,034 were examined, 95,035 passed, and of this number 39,866 received appointment. From July 16, 1883 to June 1, 1906, 269,598 persons have been appointed to the classified service by competitive examination. All vacancies are filled from the three names highest on the list of those who have passed the competitive examination. To be successful candidates must attain an average grade of 70 in an examination.

The heads of these departments, called generally Secretaries, except the Postmaster-General and the Attorney-General, being selected by and personally responsible to, the President, form what is known commonly (though not recognized by law) as the **Cabinet**, which meets on Tuesdays and Fridays, (11:00 to 1:00), to advise with the President regarding important measures and department details.

The first Cabinet consisted of the three Secretaries, (at that time, 1789) State, Treasury and War, and the Vice-President, the Chief Justice and the Attorney-General. After Washington, the Presidents no longer asked the advice of the Vice President and the Chief Justice. In 1794 the Post Office Department was added; the Navy in 1798; Interior in 1849; Justice in 1870; Agriculture in 1889; and Commerce and Labor in 1903. Each member of the Cabinet receives $8000 per annum. Each Department is divided into Bureaus, each bureau into divisions, the divisions into rooms, and in the rooms the individual workers, the "clerks". Over the division is a Chief of Division, and over the bureau a Bureau Officer, variously called a Commissioner, Comptroller, Auditor, etc. The head of the room is responsible to the Chief of Division, and he to the Commissioner, etc., and he to the Secretary and he to the President, and the President to Congress.

CHAPTER XXV.

The Department

As the President cannot personally attend to all the business of the executive branch, the Constitution recognized the creation of Executive Departments. There are now nine of these: Departments of *State, Treasury, War, Justice, Post Office, Navy, Interior, Agriculture and Commerce.*

State Department

The head of the Cabinet is the Secretary of State, who has charge of all affairs relating to foreign governments and to the executives of the States. He is custodian of the United States seal and affixes it to all commissions granted by the President; conducts the correspondence with foreign states and with the States of the Union; issues all proclamations in the name of the President; preserves foreign correspondence and the originals of all laws, documents and treaties, has general charge of foreign relations and in that capacity supervises the diplomatic and consular service, issues passports and looks after extradition of criminals.

Diplomatic Service

In the Department of State there are three Assistant Secretaries and eight Bureaus, those of Diplomacy, Consuls, Indexes and Archives, Accounts, Rolls and Library, Appointments, Passports and Trade Relations, and about sixty clerks. The United States sends representatives to foreign countries to care for American interests; these are divided into the **Diplomatic Corps** and the **Consular Service.** The former deals with governments and matters of general and national interests; the latter with individuals and with commercial interests. Diplomatic Representatives are of three general classes, Ambassadors, seven in all, to Austria, France, Germany, Great Britain, Italy, Mexico and Russia, all receiving $17,500 each, except that to Italy, ($10,000). Envoys, twenty-eight in all, and Residents, two: (there are also two Diplomatic Agents, to Egypt and Bulgaria). The average salary of a Minister is $10,000. Ambassadors are supposed to represent the person of the Executive and thus have the right to speak to the sovereign face to face, and so take precedence of all other diplomatic officials. Consuls are American national business agents and there are about 1500 Consuls, General Consuls and Vice Consuls resident in nearly all commercial cities.

Consular Service

By the Act of 1906 the Consular Service was thoroughly reorganized; all fees were abolished and Consuls and Consul-Generals were classified on a strictly salary basis. There are 57 Consuls-General, divided into seven grades receiving, according to grade, salaries ranging from $12,000 to $3.000; there are 253 Consuls, graded in nine classes, at salaries ranging from $8000 to $2000. All Consulates are regularly inspected now once in every two years, and Consular Clerks and Clerks of the State Department are eligible to appointment as Consuls. The offices of Consul-General and the higher Consulates are filled only by promotion from the lower Consuls, and by an Executive Order of 1906 the lower Consulates are filled only by rigid competitive examination, where a grade of 80 per cent. is necessary for qualification.

The most important and the most elaborate of all the depart-

ments is the Treasury Department, although the Secretary of the Treasury ranks only second in the Cabinet. The Treasury has sixteen bureaus caring for the money and finances of the nation.

Treasury Department

The Comptroller is the supreme judicial official in matters of finance and accounts, passing upon appeals from the decisions of the various Auditors. There are six Auditors, respectively for the Treasury, War, Interior, Navy, State and other Departments, and Post Office Department, each overlooking and passing on the accounts of the various departments indicated. The Bureau of the Auditor for the Post Office Department is the largest accounting office in the world, employing about 500 clerks.

The Treasurer has charge of the public monies in the Treasury at Washington, and in the sub-treasuries (established in 1846) in Boston, New York, Philadelphia, Baltimore, Cincinnati, St. Louis, New Orleans and San Francisco, and also in about two hundred National bank depositories. The Register signs and issues all bonds of the United States and of Federal corporations. The Comptroller of the Currency supervises National banks. The Director of the mint has charge of coining and assaying. The Commissioner of Internal Revenue has charge of the collection of internal revenue taxes. The Bureau of Public Health and Marine Hospital Service has charge of the health of the seamen and the enforcement of quarantine regulations and the care of the Marine Hospitals. The Bureau of Engraving and Printing has charge of printing and engraving the United States notes, bills and other securities. The Superintendent of the Life Saving Service has general charge of the construction of public buildings. The Treasury Department employs in Washington about 3,500 people and in the Union about 20,000.

War Department

The Secretary of War commands (for the President) and supervises the army. He is assisted by a general staff of brigadier generals, each of whom is in charge of one of the twelve bureaus of the Department.

The Military Secretary has general charge of the war records; the Inspector-General inspects all military commands and stations; the Quartermaster-General provides transportation, clothing, equipage, animals, and buildings for the army; the Commissary-General of Subsistence provides food and rations; the Surgeon-General cares for the health; the Paymaster-General pays the troops; the Chief of Engineers has charge of the construction and repairs of fortifications, and the care of rivers and harbors and certain non-military surveys; the Chief of Ordnance cares for arms and munitions; the Judge-Advocate-General reviews courts-martial and military commissions; the Chief Signal Officer has charge of all military signalling; the Chief of the Bureau of Insular Affairs supervises the machinery of our recently acquired insular possessions. This system of the War Department is known as the general-staff plan and was not inaugurated until 1903.

Department of Justice

The Attorney General is the head of the Department of Justice and the chief law officer of the government. He gives legal opinion when requested by the President and the heads of Departments and in matters of special gravity tries cases in the United States Supreme Court. He has general charge of federal attorneys and marshals in the federal judicial districts.

He is assisted by the Solicitor-General, who is a sort of Vice-Attorney-General and has special charge of the Government cause in cases before the Federal Courts, especially before the Supreme Court. There are seven Assistants Attorney-General. Besides these officials there are a large number of "special attorneys" (24) called "Assistant Attorneys" and "Special Assistant Attorneys" and a small clerical force necessary for routine

work. While the office of Attorney-General was created in 1789 the Department of Justice was not founded until 1870. The Attorney-General is the officer who recommends persons as Judges of the District and Circuit Courts.

In July, 1775, the Continental Congress appointed Benjamin Franklin, Postmaster-General of the United Colonies. When the government went into operation in 1789 the then established post-office department was continued without any special act of creation, but the Postmaster-General did not become a cabinet officer until 1829.

Associated with the Postmaster-General there are four Assistant Postmasters General, (appointed by the President); all other officials in the Department, except the 3800 or more 1st, 2nd and 3rd class Postmaster (salary over $1000, appointed by the President with consent of Senate) are appointed by the Postmaster-General, though the papers and details of the appointment of the 70,000, more or less, fourth-class Postmasters, are cared for in the office of the Fourth Assistant Postmaster-General, who thus in reality makes the appointments.

Post-Office Department

The Postmaster-General may, with the consent of the President let contracts and make postal treaties with foreign governments. Since 1891 the United States has been a member of the International Postal Union, conducted under the supervision of the Swiss Postal Service (known before 1891 as the Universal Postal Union), by which about fifty distinct governments arrange regarding a uniform rate of international postage. A law of 1866 authorized the Post Office Department to acquire ownership and control of telegraph lines, though the authority has never yet been exercised.

The First Assistant Postmaster-General has charge of salaries, dead letters and the general management of post-offices; the Second Assistant Postmaster-General cares for the railway and other mail service and the letting of contracts for transportation; the Third Assistant Postmaster-General cares for the issuing of stamps and he is entrusted with the general supervision of post-office finance, including registered mail and the classification of mail matter; the Fourth Assistant Postmaster-General cares for the inspection and appointment of postmasters, and looks after city and rural mail delivery. There is also an Assistant Attorney-General for the Post Office Department, who is more or less dependent on the Department of Justice.

The Mail

Ordinary mail is divided into four classes: First class, letters (sealed); second, periodicals; third, books; fourth, merchandise. Valuable letters and packages may be registered and in case of proven loss indemnity is awarded to the loser in a sum not to exceed $25. Money is transferred by money orders, the annual business in both domestic and foreign exceeding $300,000,000. Improperly addressed letters go to the Dead Letter Office, where they are opened and if identified are sent to the sender.

Fifty and more years ago there was no pre-payment of postage, being paid for by the recipient, at a rate for 30 miles and under 3 cents, and over 450 miles, 25 cents. In 1851 it was changed on letters of ½ ounce or less, 3 cents (if not pre-paid 5 cents) under 3000 miles; since 1883 the rate has been 2 cents, pre-paid.

The Secretary of the Navy performs whatever duties the President, as commander-in-chief, assigns him and has general supervision of vessels of war.

There is an Assistant Secretary and the Department of the Navy contains eight Bureaus, each in charge of a naval officer, namely, Navigation, Yards and Docks, Equipment, Construction and Repair (probably the most important), Steam Engineering. Medicine and Surgery, Supplies and Accounts and there is also a Judge-Advocate-General who revises, reports and

records the proceedings of courts-martial and of boards of inquiry, promotion and retirement; the bureaus are entrusted with the duties indicated by the title of each. There are also in the Department divisions pertaining to Hydrography, Naval Intelligence, War Records, and the Naval Observatory; there are also a number of Boards having charge of inspection, retirement, etc. The Navy Department was at first administrated with the War Department under the Secretary of War and was not separated until 1798. **Navy Department**

The Flag of the Nation is in charge of the Secretary of the Navy, who officially adds a star to the "field" on the next 4th of July after the admission of a new State. The Department annually publishes, for the guidance of seamen, the Nautical Almanac.

The Secretary of the Interior is the head of the Department of Interior, being assisted by two Assistants-Secretary, and conducting the business of the Department, through six bureaus, Patents, Pensions, General Land Office, Indian Affairs, Education and Geological Survey. **Department of the Interior**

The Commissioner of the Patent Office has charge of the issuance of patents, having under him an Assistant Commissioner, certain Clerks, three Examiners-in-Chief and forty Principal Examiners and a large force of Assistant Examiners. Each Examiner has charge of a certain class of patents, such as Calorifics, Hydraulics, Sewing-Machines, Wood-Working, etc. Appeals may be made from Examiners, to Principals, to Examiners-in-Chief with final appeal to the Commissioner. Previous to 1849 the Patent Office was a part of the State Department. **Patent Office**

The Commissioner of the General Land Office has charge of the care, supervision, sale and distribution of public lands. Two-thirds (2,708,388 acres) of the total area of the United States (3,668,167 acres) has been acquired by cession, purchase or conquest and most of this public land has been disposed of by (1) Educational Grants, (2) Military and Naval Bounties, (3) to States for Internal Improvements, (4) by Sale, (5) under Homestead Acts, (160 acres occupied five years by citizens), (6) by Pre-emption Acts (now repealed), (7) Under Timber Culture Act (now repealed), (160 acres for $1.25, for planting 10 acres to trees), (8) swamp and other special grants to States, (9) Grants to Pacific and other Railroad Companies. The Western part of the country is divided into Districts, each district having a Surveyor-General, a Register and a Receiver of the Land Office. **General Land Office**

The Commissioner of Pensions has charge of the distribution of the enormous sum paid out for faithful service of the past. The amount expended in 1906 for pensions was $141,034,562, over one-fifth of the entire ordinary expenditures. In 1907 the pension expenditure was $139,290,909.80. Any soldier or sailor who saw service in the Civil War is now entitled to a pension, if he is unable to support himself. **Pension Office**

The Commissioner of Indian Affairs has charge of the Indian Tribes of the United States (exclusive of Alaska). Before 1871 the Indian Tribes were treated as independent nations and the aborigines were treated with dishonor and duplicity. Since then they have been considered wards of the nation, and encouraged to leave the tribal relation and become citizens of the United States. There are between 250,000 and 300,000 Indians in the United States living on about 177 reservations. The Indians are not self-supporting and the Government spends about $15,000,000 upon them per year, about one-fourth of which is spent for the education of about 25,000 children in the Indian schools, about 300 schools in all, mostly boarding schools. **Indian Office**

The Commissioner of Education collects very valuable statistics regarding public schools and publishes reports of great value to those interested in education, but his authority is entirely advisory, having no direct control except of the schools in Alaska.

The Director of the Geological Survey classifies the public lands as to geological structure and publishes very valuable reports and maps of the lands of the nations. He has care of the reclamation of arid lands under the Act of 1902.

Department of Agriculture

The Secretary of Agriculture has charge of the agricultural interests of the country; the work of the Department of Agriculture is very largely experimental and educational.

It is organized in seven Bureaus and a large number of independent "divisions" and "offices". The Bureaus have charge of the matters indicated by the names, the Weather, Animal Industry (inspection of dead and living meats), Chemistry, Statistics, Forestry, (having charge of the "reserves"), Plant, Industry, and Soils. The most important "office" is that of Public-Road Inquiries. Millions of packages of seeds, and millions of copies of pamphlets on farming are annually distributed free by this Department.

Department of Commerce and Labor

The Department of Commerce and Labor has eleven bureaus, *Corporations,* which is trying to make public and otherwise regulate the acts of the great trusts and other corporations, *Labor,* which collects very valuable statistics and publishes bulletins from time to time on the condition of the labor and living in this and other countries, *Light House Board,* having charge of the 1000 and more lighthouses, and also the light ships, buoys, etc., on our coast, *Census,* where a permanent force (greatly increased temporarily every ten years) collects statistics and keeps the machinery in order ready for the decennial census.

The first census was taken in 1790 and that of 1900 was the 12th, showing a population of 76,303,387. The cost of this census was over $16,000,000, employing over 50,000 enumerators, 2,500 clerks and 2000 special agents, the four principal reports being those on population, mortality, manufactures and agriculture.

Other Establishments

The *Coast and Geodetic Survey* has charge of charting the seacoast. The *Bureau of Statistics* publishes daily and monthly reports of a statistical nature. The remaining bureaus have charge of the subject indicated by the titles, *Steamboat Inspection, Fisheries,* (distributing food fish where needed,) *Navigation, Immigration,* and *Standards* (pertaining to measuring apparatus).

Independent of the Departments are several temporary and permanent institutions, such as the Interstate Commerce Commission, which regulates the great interstate railroads, but which has no control over railroads wholly within the boundaries of a single state; the Civil Service Commission, which administers the Civil Service Acts; the Government Printing Office; the largest establishment of its kind in the world; the Congressional Library, one of the most complete in the world, where must be deposited two copies of every copyrighted book or pamphlet and various bureaus of varied importance, such as the Bureau of American Republics, etc.

CHAPTER XXVI.

United States Federal Judiciary

The Judicial Department of the government consists of one Supreme Court, nine Circuit Courts of Appeals, nine Circuit Courts and eighty-three District Courts. These judges are all appointed by the President by and with the consent of the Senate and may be removed only by impeachment. The judges of the Supreme Court receive $12,500 each, the Chief Justice receiving $500 additional; the Circuit Judges receive $7000 each and the District Judges $6000 each. On reaching the age of 70 years they may be retired on full pay, provided they have served ten years.

Judicial Department

The jurisdiction of the Federal Courts may be considered in two groups, first as to the subject matter, involving: 1. Cases under the Constitution, Laws and Treaties of the United States. 2. Affecting Ambassadors and other Public Ministers, and 3. Regarding cases in Admiralty; and second as to the Parties. 1. Where the United States is a party. 2. Between two or more States. 3. Between a State and citizens of another State. 4. Between citizens of different States. 5. Between citizens claiming land under grants of different States, and 6. Between a State or citizens and a foreign States, citizens or subjects.

Jurisdiction of Federal Courts

The jurisdiction is also Original and Appellate; Original in cases affecting Ambassadors, other Public Ministers and Consuls, and those in which a State is a party, and the Appellate jurisdiction is now limited to three classes of cases: 1. Cases from District and Circuit Courts involving the constitutionality of a Federal or a State law (as to United States Constitution), cases as to jurisdiction of the court, final prize causes and capital crimes. 2. Cases from the Circuit Court of Appeals involving over $1000, cases regarding citizenship, crime, admiralty, revenue and patents, of which the Circuit Court of Appeals has final jurisdiction. 3. All cases in State Courts where the decision has been against United States law or the United States Constitution.

The Supreme Court has one term beginning the first Monday in October and lasting until May, after which time the justices go "on the Circuit," each justice being a judge in each one of the nine judicial circuits. The Court has daily sessions in the capitol from 12 to 4 (except Sunday), Saturday being confined to consultation and Monday being "decision day". Six justices must be present before a decision can be rendered; each case is assigned to a justice for an opinion and after its delivery a vote is taken and if the majority approve it is the decision of the Court, though the minority may issue a "dissenting opinion".

Circuit Court of Appeals

The Circuit Courts of Appeal were established in 1891 to relieve the congested condition of the Supreme Court docket. Each of the nine courts consists of three judges, the Supreme Court judge of the circuit and two circuit or district judges or one of each. Any two may hold court.

It has no original jurisdiction, its cases all coming from the Circuit

and District Courts, and has final jurisdiction in the classes of cases mentioned above. A circuit embraces generally two or more States, embracing many districts.

Circuit and District Courts

Two, three or four judges are appointed for each of the nine Circuit Courts who may sit separately or together. The Circuit Courts now have only original jurisdiction (before 1891 they had appellate jurisdiction in cases from the District Courts). Cases of over $2000 and large criminal cases are tried in these courts, while all other cases are tried in the 83 District Courts.

Each district (with three exceptions, Minnesota, South New York and North Ohio, each having two) is presided over by one District Judge. Generally the districts embrace a single state, but in some cases a state or territory is divided into two or three districts.

The Supreme Court may order any case in a lower court to be brought up and the Circuit Court of Appeals may have any case certified to the Supreme Court for decision on any special point of law.

Other Federal Courts

Besides these courts the United States has a system of courts in each Territory and in the District of Columbia, and there is also the Court of Claims in which the United States permits citizens and others to sue the United States and recover damages for claims which are annually certified to Congress which appropriates for judgments. The Court of Claims simply finds the facts and leaves it to Congress to make final decision as to the amount of liquidated damages to be awarded. The Court of Claims consists of five judges.

In each judicial District (of a District Court) there is a United States District Attorney and a United States Marshall, who attend to prosecution and processes in all Federal Courts within the District.

CHAPTER XXVII.

Party Government

Notwithstanding the statement of Washington, "we must drive far away the demon of party spirit and local reproach," the fact remains that energetic and well organized political parties are necessary to the life and well being of a republic. The policies and supervision of local, state and national government are secured by the people through the medium of party organization. Men differ greatly by education and in disposition, ranging from the natural conservative who desires no change, to the extreme radical who wishes change, often only for the sake of variety. In addition to this dis positional difference of opinion other causes have contributed to the formation of political parties in our country, especially the construction of the constitution and the promptings of local and selfish interests.

Function of Parties

Parties exert an influence, first, on the individual acting within the party to direct the party towards certain policies and into the control of certain cliques and men, and, second, by the party as a whole to carry through to successful issue its enunciated policies by the election of candidates pledged to the principles. Political parties have three functions: 1. The crystallization of public opinion. 2. The selection of candidates, through election of certain major candidates who appoint certain minor ones. 3. The government of a canvass or campaign.

Machinery of Parties

Political parties are organized in elaborate machinery to crystalize popular approval of party policies and have that approval expressed at the polls by a large vote of those approving the measures in question. This organization in great parties extends from precincts in wards of cities and in country townships to counties, states and the nation, and is generally supervised and controlled by either executive committees or nominating conventions, and usually by both. The *committees* are in perpetual existence, while the *conventions* are called only before an election, ceasing to exist as soon as the election is accomplished. The conventions prepare and adopt the party platforms, selects the candidates, appoint the committees to manage the party until the next election and issue the call for the next convention. In the lesser conventions (county, etc.,) delegates to higher conventions (state and national) are selected, and thus in the parties themselves the principle of representative govern-

ment is perfectly carried out, insofar as the people are interested in the actions of the party concerned.

Party Nominations

As all offices in the United States are filled by election or appointment, the selection of candidates for election is of the highest importance. In townships officers are usually selected in the annual town meeting, by votes of the members present, but in the modified township government, outside of New England, all candidates in wards and townships are selected in a "primary," either by ballot or in an open meeting of a "caucus" type. Party lines are usually not very closely drawn in these small local units. In cities each ward has one or more voting precincts, and a permanent committee which calls together ward caucuses or conventions for the selection of candidates to larger conventions to represent the whole city. In some cities "primary elections" are held (also in some country districts), where a miniature election is held within the party (under stringent state laws) and candidates securing a majority (or plurality) of the votes are declared the party nominees. Where aldermen or councilmen are elected by districts or wards they are usually nominated in district or ward conventions. The "city committee" calls the city primary, or the city convention, composed of delegates elected from the wards or precincts, who theoretically select the candidates for city offices. County officers are usually selected in county conventions, called by county committees, composed of delegates from towns and cities within the county. All State officials, except members of the state legislature and of certain courts, are selected in a state convention called by the State Central Committee, composed usually of delegates chosen by the county conventions. State legislators are chosen in district conventions, the counties being very frequently the basis of apportionment.

Convention National

National Conventions date from 1840, and the National Convention is typical of all conventions. The National Convention is composed of delegates selected usually by the State Convention, each State sending twice as many delegates as it has Representatives in the National Senate and House of Representatives, making a total now of 966. As soon as the delegations arrive in the convention city (chosen previously by the National Committee), each elects a member for the National Central Committee, from which is chosen an Executive Committee which conducts the campaign. The Chairman of the National Central Committee calls the Convention to order and a temporary Chairman is chosen who appoints a committee on credentials, which committee decides cases of contesting delegations from the same State. A Committee on Resolutions prepares a party platform containing the principles and proposed policies of the party and to which nominated candidates must subscribe.

The next day the permanent Chairman is selected, the platform is then read, amended, and adopted and then there is an alphabetical roll call of the States. Each State proposes or seconds the nomination of a candidate for President. About ten names are usually proposed, the delegate presenting the name extolling the candidate in a laudatory speech. Voting then commences, each delegate having one vote. In Republican conventions candidates are nominated by a majority vote while the Democrats require two-thirds. Sometimes candidates are nominated by acclamation (as Cleveland in 1888) and again over fifty ballots are required.

After the candidate for President has been selected the Vice President is nominated, and after the appointment of a new National Committee to serve for the next four years, the Convention adjourns and the platform and candidates go before the people. Each candidate usually publishes a letter of acceptance after which the people are enthused to support the candidates by a vigorous campaign of four months with speeches, processions, meetings and literature. Presidential Electors are nominated in some States in State conventions and in others in District conventions, except the two representing the Senators who are nominated by the State convention.

Members of Congress are nominated in District Conventions called by the Congressional District Committee.

Party government is not only a necessity for the preservation of the republic but it has many benefits as well as some pronounced evils. The chief benefit is that party strife keeps the policies of the government under constant oversight, by causing the party out of power to be on the constant watch for corruption or error in the party in power. The party in power tries to maintain the confidence of the people by rectitude and efficiency. This would be the operation of party government were it not for certain abuses and dangers due to the lack of an intelligent and widespread interest on the part of the people resulting in the creation of a class of professional politicians who simply struggle for public office for sake of the salaries, and permitting certain individuals to secure control of the party organization by means of bribery, promise of office, blackmail and fraudulent devices. The great majority of politicians are honest but it would be much better if all honest men were politicians, at least during the time of election.

Benefits and Evils of Parties

There are several evils in party machinery due to weakness of human nature and many of these evils only exists at times and in a few places and are speedily eradicated by popular movements resulting in reform legislation. The buying of votes and "repeating," (voting many times each election at different booths under different names), have been largely prevented by laws requiring all voters to be registered on lists, afterwards printed, at a stated time, and each voter is checked from the list as he votes; though this is sometimes abused by the "swearing in" of voters who failed to register. Swearing in is now generally forbidden in large cities.

Other checks are: 1. Limiting the suffrage to men (except in Colorado, Wyoming, Utah and Idaho, in general, and most of the states in school elections) over 21 years of age and citizens of the United States; (in twelve states foreigners who have "declared intentions" may vote); 2. six months or one year's residence in the state and one month in the precinct, and 3. in some states there are educational and property qualifications, and 4. in five states payment of a small tax is a requisite.

Checks

In former times the great evils were "ballot box stuffing" (by means of tissue ballots) and false ballots improperly printed, or mu-

tilated by the use of "pasters," and also the intimidation of electors by crowds of hoodlums stationed near the voting booth.

Australian Ballot Law

These evils are almost elminated by the Australian Ballot Law, as modified in this country. All voters are registered and can only vote in the precinct in which they live, at the election booth. All names of candidates appear on one ticket, those of each party being grouped in the same column. The voter presents himself at the booth, and if found registered, receives an official ballot which he takes into a booth curtained off from the rest of the room. There in secret he marks the ballot. He presents the ballot to the inspector who tears off the number and publicly drops the ballot in the box announcing the name of the voter, which name is recorded by the clerk. Each party is allowed a number of challengers but no electioneering is permitted within a certain distance of the polls. The ballots are printed by and furnished by the state and sent to a State canvassing board, after being counted by the local canvassing board. The local board issues certificates of election to the successful candidate.

CHAPTER XXVIII.

State Government

The governments of the various states of the union have been formed in two ways: those evolved from the charter governments of the thirteen colonies, and those formed by the admission to the union of territories. Eleven of the colonies adopted constitutions after independence was secured, and later Rhode Island and Connecticut changed their liberal charters to written constitutions. This form of government became the model for later forms, so that the regular procedure for the admission of a territory as a state is based upon the adoption by the state of the constitution, either after the passage by Congress of an "enabling act" permitting a constitutional convention to be called by the territorial governor, or by the election of a convention and adoption of a constitution before application to Congress for admission.

Formation of State Governments

The constitution must be in harmony with the constitution of the United States and not repugnant to federal laws, and approved by Congress before it can be presented to the people for ratification; at the same time with the vote for ratification the new state officers are elected, and when the governor certifies the fact of ratification to the President, the latter issues his ratification proclamation declaring the territory a member of the Union, which also makes valid the election of state officers and the new state government is in full operation.

Thus the basis of all our state governments is a written constitution, in which the three departments, Legislative, Executive and Judicial are usually kept distinct, with a single executive, a bi-cameral legislature, and generally an elective judiciary chosen for a long term of years.

State Constitutions

State Constitutions are frequently changed, and seven States require that they be changed at intervals from 7 to 20 years, though Massachusetts, New Hampshire and Vermont still have their 18th Century Constitutions. State Constitutions and State laws, in general, are very similar, differing most largely as to the term, salary and veto of the Executive and as to the term, sessions, powers and salaries of the Legislature. All but six States have biennial sessions of the Legislature, and in all but two the Governor has the veto. Both Houses of the Legislature are usually chosen by popular vote, though in Illinois there is "proportional representation" by means of the cumulative vote, by which in each Senatorial District three representatives are elected and each voter may vote one vote for each, one and one-half votes for two or three votes for one.

The procedure of the Federal Congress in legislation is carefully followed. The "referendum", (whereby voters may instruct Legislators as to

the necessity of passing a certain measure, by a vote at the polls), and the "initiative" (whereby voters may initiate legislation which becomes compulsory upon the Legislature, if carried by direct vote of the people), are carried out somewhat, especially as to Constitutional Amendments.

The Executive usually consists of a Governor, Lieutenant Governor, Secretary of State, (the Chief Clerk of the State), and a Comptroller, (auditing officer) and a Treasurer, (fiduciary officer). There are also generally an Attorney General, a Commissioner or Superintendent of Education, etc., as well as numerous Commissioners and Boards in charge of the State institutions.

The judicial system is usually a pyramid with a single Supreme Court (or Court of Appeals) at the top, Circuit or Superior Courts below, County Courts next, and at the bottom the Justices of the Peace and the city criminal and civil courts. All States have usually three kinds of juries. 1. Grand, (12 to 23 men), investigating secretly crime and matters of State Government. 2. The Petit (or ordinary) jury, (12 men) and 3. The Police jury of six men. In criminal cases a unanimous vote is necessary for conviction but in eight states a unanimous vote is not necessary for favorable decision in civil causes. In general the State Governments closely copy the form of the National Government.

State Revenues

While the Federal Government secures its revenue largely from indirect taxation, the states derive revenue wholly from direct taxes on real and personal property. The executive sends a budget of probable income needed to the legislature, which apportions this sum among the counties (except in New England, there among the townships), in proportion to the value of property within the counties, or establishes a certain percentage tax on all property. This levy is similarly apportioned by the county supervisors among the cities and townships of each county. Thus when the city or township assessors and collectors assess and collect taxes locally, they collect at the same time the state, county and city or township tax; retaining the last they turn over the balance to the county officials, who in turn hand the state tax to the state officers, retaining the county dues. The total revenue of all the states is barely one-third that of the national government.

CHAPTER XXIX.

Local Government

Every American is under three distinct and yet harmonious governments: Federal, State and Local. The Local government consists of the County and City (village, borough or town). The local government has special charge of education, police, sanitation, charity, roads, (local) justice and the collection of all direct taxes, federal, state and local. There are three types of local government: 1. The New England, with the town as the unit (usually about 50 or more square miles, with a population of 3000 or less). This is almost a pure democracy, with the annual town meeting, presided over by a moderator, when reports of officers are made, and taxes are determined and raised. The officers of the New England town are usually, (3, 5, 7 or 9) selectmen, town-clerk, treasurer, assessor, collector of taxes and constable.

Three Harmonious Governments

New England

2. The Southern type with the county as the unit, governed usually by a Board of (3) Commissioners, elected by ballot by the people of the entire county, and the government is therefore representative. The county wherever found is usually a judicial district, with the Sheriff the officer to execute all decrees. Other officers are the Treasurer, Assessor, Road Commissioners, etc.

Southern

3. The Western type, a combination of the New England and the Southern type, where the town government is almost wholly for school purposes and for the care of funds raised originally for school purposes.

Interior

In Illinois there are 19 counties without township organization, all others having the counties divided into townships. It has been found that the township system is more expensive but brings the government near the people and divides the execution of public duty among a greater number of officers, and thus educates a trained body of public servants.

Cities have grown very rapidly under each of the three forms of local government. In 1790 there were but 13 cities in the United States over 5000 inhabitants and none over 40,000. In 1900 there were over 500 cities over 5000 in population, and 28 over 100,000. In 1790 3 per cent of our population lived in cities of over 8000 inhabitants. In 1900 25 per cent lived in cities over 8000 population.

Cities

Villages usually grow up in towns and counties and out of these cities are formed by the people petitioning the legislature for

a city charter. The functions of a city government are many and are very rapidly increasing. Some of them are: 1. Collection of taxes. 2. Schools. 3. Justice. 4. Police. 5. Fire protection. 6. Streets. 7. Sewerage. 8. Water supply. 9. Public Parks. 10. Prisons. 11. Regulation of liquor traffic. 12. Street cars. 13. Building regulation. 14. Charities.

City Officers

The Executive of a city is usually a mayor, elected for one year (or more), with power to veto ordinances passed by the Council, but the council may pass an ordinance over the veto by a two-third vote. There are also elected with the Mayor, a Treasurer, a Collector, a Chief of Police (often appointed), and also a Legislative Body called the Council consisting of two houses (in some states, in others of only one), the Aldermen and the Common Council. The Judges are usually elected for long terms. Election of aldermen and councilmen is usually made in wards and precincts and thus each member of the Council represents an integral part of the city. The great weakness of American government lies in the maladministration of cities. It should be remembered that the administrative duties of a city are almost purely of a non-political and a business character. Every citizen should be as absolutely free from party bias in voting for the officers of a city government as he is in voting for the officials to govern his insurance, banking or church. The best man for the office should be the sole criterion. In considering elections in larger areas than cities party affiliations should be discriminately retained, but in city government each citizen should consider the character and business qualification of the candidates solely. City governments were originally modeled after the national government and carefully divided into non-interfering and frequently irresponsible legislative, executive and judicial departments, resulting in irresponsibility and consequent corruption.

Weakness in Municipal Government

The present tendency is to concentrate power in the hands of a few, especially in the hands of the mayor, and hold the few or the mayor exclusively and specially responsible. This ideal has been perfected in Germany where cities are ruled by a Burgomaster, a specialist in municipal government, with a body of trained experts as his assistants. He is paid a good salary and is frequently transferred from one city to another, as the heads of business corporations are in this country. The business character of city administration in America will be appreciated when it is known that in 1898 Greater New York City spent $98,000,000; in 1899 New York spent $20,000,000 more than London, $18,000,000 more than Paris, and only $1,000,000 less than the combined expenses of Chicago, Philadelphia and Boston. Philadelphia's expenses in 1899 were $27.76 per capita; in 1800 they were $0.97 per capita.

The fundamental law of a city is called its *Charter*. Charters are granted in the United States in three ways: 1. The Legisla-

ture divides cities into classes dependent upon population, and the character of the charter depends (under the General Charter Act) upon the population of the city.

2. A few states still grant charters by special act, after petition by the people, upon which petition a bill is presented which, if passed becomes a special charter Act.

How Charters are Granted

3. In four states (Missouri, California, Minnesota and Washington), cities are permitted to elect charter committees, which frame suitable charters. If this charter is approved by a vote of the people it is ratified by the Legislature and is then in force.

In Illinois prior to 1870 the Legislature granted special charteers, on petition. In 1870 such special charters or the amendment of those already granted were prohibited, and now all cities in Illinois are incorporated under a general law and all under this law are governed in the same manner.

Illinois City Government

Under this law the city government in Illinois is as follows: The City Council consists of the Mayor and Aldermen. The Mayor is the presiding officer and has no vote except in case of a tie. The Aldermen are from 6 to 48 in number according to the population of the city and are elected for two years. Cities are divided into half as many wards as there are aldermen, one alderman being elected on the 3rd Tuesday in April in each ward; (each ward being represented by two aldermen, elected for two years, one each year). The general law defines 96 different powers of city councils, the most important being: 1. Passing ordinances for city government; no fine can exceed $200 and no imprisonment over 6 months. 2. Prohibiting animals at large. 3. Levy and collect taxes. 4. Confirm all appointees of mayor. Aldermen and mayor receive an amount fixed by the council and that of alderman must not exceed $3 for each meeting. In Chicago aldermen receive $1,500. The Mayor, City Clerk, City Treasurer and City Assessor and Collector are elected for two years. In cities over 5000 in population there may be a city court and a police magistrate, and in that case the judge holds office for four years.

Villages are governed by a board of trustees, six in number, elected for one year. The President of the Board corresponds very much to the mayor of the city.

CHAPTER XXX.

A Brief History of Illinois

Indians

Illinois is named from the Illinois Indians, (Illini, meaning "real men"), a confederacy of the Peorias, Kaskaskias, Cahokias, Tamaroas, and Mitchigamies, belonging to the Algonquin family, friendly to the French and occupying most of Illinois, and parts of Wisconsin, Iowa and Missouri. The Illinois were almost exterminated by the Iroquois and in 1769, the small remnant was imprisoned on "Starved Rock" by the Pottawottomies and all but one died from thirst and starvation.

Joliet

About fifty years after the landing of the Pilgrims the French entered Illinois. In 1673 Joliet, the fur trader, and Marquette, the Jesuit, floated down the Mississippi, by way of the Great Lakes, and the Wisconsin, returning from the mouth of the Arkansas up the Illinois River to the present site of Ottawa, thence to Lake Michigan, to St. Ignace, the starting point.

Marquette

In 1674 Marquette returned to establish a mission at Kaskaskia, (on the Illinois, not the later Kaskaskia), but his failing health and eventful death disturbed the project. In 1679, Robert Cavelier, Knt. of La Salle, with Tonti, entered the state from the East by way of the Kankakee River. Floating thence into the Illinois La Salle built a fort called Crevecoeur below Peoria, leaving Tonti in command of it, while he returned to Fort Frontenac for supplies. In La Salle's absence, through insubordination and hostile Iroquois, Tonti was driven from the fort and barely escaped to Mackinac with his

La Salle

life. When La Salle returned and found all desolate he formed a league of the western tribes, and colonized them in Fort St. Louis (Starved Rock), returning again to Canada for supplies.

On his third trip he descended the Illinois to the Mississippi and then to the Gulf taking possession of the country in the name of France, (1682). La Salle went to France for help and was killed by one of his own men on his return.

Kaskaskia

The mission established by Marquette was moved in 1695 to near the junction of the Kaskaskia River and the Mississippi, near the new site chosen by the Indians for their village. A few years later (about 1700) a mission was established at Cahokia, four miles below St. Louis, which eventually became for a while the county seat of St. Clair county, being destroyed by floods in 1844. In 1725 Kaskaskia became an incorporated town.

In 1718 the strongest and most pretentious fort in the new

world was built at Fort Chartres (made of stone in 1750), half way between Kaskaskia and Cahokia; formally delivered to the English in 1765, and partially destroyed by flood and abandoned in 1772, the British transferring the post to Fort Gage, opposite Kaskaskia.

George Rogers Clark

In June, 1778, under a commission from Patrick Henry, Governor of Virginia, Col. George Rogers Clark started from Kentucky with about 150 volunteers, to capture Fort Gage and Kaskaskia, which were surprised and captured July 4, 1778, without bloodshed. After Clark had made a treaty of friendship with the Indians at Cahokia, he marched successfully against Fort Vincennes, on the Wabash, and the whole Northwest Territory, named the Territory of Illinois, passed into possession of the State of Virginia.

1787

Under the Ordinance of 1787, Governor St. Clair organized a local government at Kaskaskia, in 1791, and St. Clair Co. with Cahokia as county seat, was the first organized county within the present limits of the state. The Territory of Illinois was organized in 1809 and Ninian Edwards was appointed the first governor.

When Illinois applied for admission Congress passed an enabling act reducing the requirement of a population of 60,000 (under ordinance of 1787) to 40,000, and in the bill admitting the state it was provided that three-fifths of the 5 per cent fund from sale of public lands should be devoted to the encouragement of education, one-sixth of this sum to be devoted to a university or college; and that the northern boundary should be extended to the parallel of 42 degree 39 longtitude (51 miles north of northern boundary of ordinance of 1787).

1818

In July, 1818 33 delegates met at Kaskaskia to draft a state constitution and adjourned August 26. On December 3, 1818, Illinois became the eighth state added to the original thirteen. A new constitution was adopted in 1848 and a third in 1870 (which latter was adopted in a convention containing the ablest men ever gathered in Illinois).

Capitals

Slavery was prevented through the efforts of Governor Edward Coles, an anti-slavery Virginian, in 1822. The first capital was at Kaskaskia, in 1809, and the second at Vandalia, in 1820, where three capitols were successively built in 1820, 1823 and 1836. In 1837 the government was transferred to Springfield where a new state house was built, to give way in 1868 to the present magnificent capitol, costing $4,260,000.

In 1838-39 the Mormons settled in Hancock county, building the city of Nauvoo but on account of disobedience to state law they were driven from the state in 1844, Joseph Smith and his brother being killed by a mob.

Illinois furnished six regiments to the Mexican War, and 214,133 soldiers for the Great Civil War, ranking next to New York,

War Record

Pennsylvania and Ohio in number of men furnished and to Kansas in number in proportion to population. She furnished many of the greatest leaders of the war: Lincoln, Grant, Hovey, Logan, McLernand, Oglesby, Palmer, Rawlins, Pope and many others.

CHAPTER XXXI.

Illinois State Government

By the Constitution of 1870 Illinois is governed in three departments, Legislative, Executive and Judicial. The Legislative Department is vested in the General Assembly of two houses, the Senate and the House; the General Assembly elects United States Senators and meets (biennially) on the Wednesday after the first Monday in January of odd numbered years, in the state capitol at Springfield.

Constitution of 1870

Every ten years the Assembly divides the state in fifty-one Sena torial districts, from each of which a senator and three representatives are elected, on the Tuesday next after the first Monday of November of even numbered years; at every election all the members of the lower house are elected and half the members of the Senate, the senators from even numbered districts being chosen at one election and those from the odd numbered at the next.

For the three members of the lower House in each district every voter has the right to vote for the three men, giving each one vote; for two men, giving to each one and one-half votes; or for one man giving him three votes. The members of the lower house are elected for two years and of the Senate for four; Senators must be twenty-five and members twenty-one years of age; both must be citizens of the United States and residents of Illinois for five years and of their districts two years preceding their election. Members receive $2,000 for each regular session, and $5 a day for each special session, and ten cents for each mile of necessary travel in going to and returning from Springfield, and $50 per session for stationery, etc.

Legislative

A majority is a quorum to do business and each House determines its own rules and qualifications and chooses its own officers. The officers of the house are: Speaker, Clerk and three assistants; Doorkeepers and three assistants, Postmaster and one assistant, Enrolling and engrossing clerk and two assistants. The officers of the Senate are: President, (Lieutenant Governor), President Pro Tem., Secretary and two assistants, Postmaster and one assistant, and Sergeant at arms. There are about forty-five standing committees of the House and about thirty-five in the Senate.

Legislation is carried on very much as in the United States Congress except that the constitution provides that no act can embrace more than one subject and that must be expressed in its title.

and no law can be revived or amended by reference to its title only. Laws take effect the first of July following passage except in case of emergency, which must be stated in some part of the act and must receive a two-third vote of all members elected. The law regarding veto, "passing over veto," and "pocket veto" are practically the same as with the United States President and Congress. The Assembly is forbidden to pass any "special law," nor change county seats, nor grant "special charters," nor regulate the rate of interest by special law, nor pass any private appropriation bill, nor can the State contract debts in excess of $250,000 without the vote of the people except in war emergency, nor become responsible for the debts of any person or corporation, nor can the Assembly award extra pay.

Executive

The Executive Department consists of a Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction and Attorney General, each holding office for four years, except the Treasurer whose term is two years and he cannot hold the office two terms in succession. On the Tuesday after the first Monday in the November of the Presidential election an election is held for Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer and Attorney General. On the Tuesday next after the first Monday in November two years after the election of Governor, the Treasurer and Superintendent of Public Instruction are elected.

To be Governor or Lieutenant Governor a person must be over thirty years of age and must have been a citizen of the United States and of Illinois for the five years previous to election. The Governor has the usual executive powers: sending messages to the Assembly; calling extra sessions; appointing certain officials by and with the consent of the Senate; the veto; pardon, commutation and reprieve and he is commander of the militia. His salary is $6000 and he has the use of the Executive Mansion.

The Lieutenant Governor succeeds the governor in case of death or disability, is president of the Senate, with no vote except in case of a tie, and his salary is $1000. The Secretary of State is custodian of state property at the capital, keeps on file all public Acts and laws, keeps and affixes the Great Seal, calls the House of Representatives to order and presides until a speaker is elected, issues charters to corporations and generally supervises elections, furnishing and having printed the official ballots. His salary is $3500 and his bond $100,000.

The Auditor is the state bookkeeper and accounting officer; he also with the help of the governor and treasurer fixes the rate of taxation, the amount to be raised being fixed by the Assembly. His salary is $3500 and his bond $50,000. The Treasurer keeps public monies receiving and disbursing only on order of the Auditor. His salary is $3500 and his bond $500,000. The Superintendent of Pub-

lic Instruction has charge of the schools and the Attorney General is the lawyer of the state, each receiving $3500 a year, the bond of the Attorney General being $5000 and that of the Superintendent being $25000.

State Boards and Commissions

Besides these elective officers there are forty-five regular State Boards and Commissions which assist in executive management, nine of which are composed of state officials, and thus called "ex-officio," of which the State Canvassing Board, for passing on election returns, is the most important; the other thirty-four are as follows: 1. Agriculture, one membe from each Congressional District. II. Canal Commissioners, three members for two years. III. Charities, five for five years, who must visit at least twice a year all charitable and penal institutions. 1V. Claims, three for four years. V. Dental Examiners, five members for five years. VI. Equalization. one from each Congressional District and the State Auditor; meets once a year at Springfield, second Tuesday in August; equalizes the taxes of the different counties. VII. Fish Commissioners, three for three years. VIII. Health, seven for seven years; this board licenses to practice medicine. IX. Horticulture, elected by the horticultural societies (three of the state). X. Inspectors of Coal Mines, five for one year, $1800 a year each. XI. Labor Statistics, five members. XII. Live Stock Commissioners, three for three years. XIII. Pharmacy, three members, $3500 each. XIV. Illinois Farmers' Institute; one member from each congressional district. XV. Railroad and Warehouse Commission, three for two years. XVI. State Board of Arbitration, for settling disputes between Capital and Labor, three for three years. XVII. State Mining Board, five for two years. XVIII. Inspectors of Factories, two for four years, with seventeen assistants. XIX. Inspectors of Grain, six for two years. XX. State Board of Examiners of Architects, five for four years. XXI. Lincoln Park Commissioners, seven for five years. West Chicago Park Commissioners, seven for five years. XXIII. State Board of Education, (trustees of State Normal University) fifteen for six years. XXIV. State Board of Pardons, three for three years. XXV. State Food Commissioner, with one assistant and two analysts. XXVI. State Game Commissioner. XXVII. State Agents to Enforce the Law in Relation to Cruelty to Animals, four for two years. XXVIII. State Architect, four years. XXIX. State Entomologist. XXX. Illinois Free Employment Offices, four for two years. XXXI. Board of Voting Machine Commissioners, two for four years. XXXII. State Civil Service Commission, three for six years. XXXIII. State Geological Commission, one for four years. XXXIV. State Highway Commission, three for two years.

No. VI is elected at a general election, I by the county agricultural societies, and IX by the three state Horticultural Societies; all the others are nominated by the Governor and confirmed by the Senate, except that V and X do not need confirmation by the Senate. Besides these Boards there are many special boards that have charge of certain institutions.

The State educational institutions are: The University of Illinois, at Urbana, controlled by a Board of Education of twelve, nine being elected for six years, and the others being the Governor, State Superintendent and the President of the State Board of Agriculture; Normal University at Normal, a board of fifteen, fourteen appointed by Governor, the State Superintendent being ex-officio of all educational boards; Southern Normal at Carbondale, board of six. Eastern Normal at Charleston, board of six. Northern Normal, at DeKalb, and the Western Normal at Macomb. Illinois State Historical Society, three for two years. State Charitable Institutions are: Seven Hospitals for the insane (at Jacksonville, Kankakee, Elgin, Anna, Watertown, Peoria, and Chester); Institution for the Deaf and Dumb (Jacksonville); Institutions for the Blind (Chicago and Jacksonville); Feeble Minded Children (Lincoln); Eye and Ear Infirmary (Chicago); Soldiers' Orphans' Home (Normal); Soldiers' and

Sailors' Home (Quincy); Home for Soldiers' Widows (Wilmington). Each of these is controlled by a board of three for six years, with no pay.

The Penal Institutions are: Two penitentiaries, one at Joliet and the other at Chester; State Refofrmatory at Pontiac and the Home for Delinquent Boys at St. Charles, and State Home for Juvenile Female Offenders at Geneva. Each peniteentiary is governed by three Commissioners ($1500 each) who elect a warden and make monthly inspection; term six years; the reform school is under a board of five for ten years without pay.

The Judicial Power is vested in a supreme court, four appellate courts and eighteen circuit courts, courts of Cook county, county courts, probate courts, justices of the peace and police courts. The Supreme Court consists of seven justices, for nine years, elected from each district, salary $5000. A decision must be sanctioned by four judges.

Judicial

The court meets in the capitol at Springfield and there is a clerk elected for a term of six years. This court has original jurisdiction in cases relating to State revenues and in mandamus and habeas corpus cases; it has appellate jurisdiction in all criminal cases and in civil cases amounting to more than $1000.

The four Appellate courts are held respectively in Chicago, Ottawa, Springfield and Mt. Vernon. The Appellate judges are selected by the Supreme Court from among the circuit judges and have only appellate jurisdiction and in civil cases only, which is final as to cases involving less than $1000.

All the counties but Cook are arranged in 17 districts called circuits. Cook county constitutes a circuit by itself. Three judges are elected in every circuit every six years, two of these holding circuit courts and the third acting as appellate judge. Cook county now elects 14 circuit judges, each receiving $7000; all other circuit judges receive $3500.

The circuit courts have original jurisdiction in all criminal cases and in civil cases between citizens of the state. Masters in Chancery relieve these courts of much of their business. In the Supreme and Appellate Courts there is no jury; there is a Grand Jury of 23 in the Circuit Courts. In counties having over 70,000 inhabitants a separate probate judge is elected. There are separate probate judges in Cook, Peoria, Kane, Sangamon, St. Clair, Will and La Salle counties.

The state is divided into 102 counties, all but 19 of which are governed by a board of supervisors, one elected from each township, who through committees, publish a financial statement each year, prosecute all who wrong the county, fix salaries of county officers and pay them, levy taxes, select grand jurors and prepare a list of petit jurors.

The county executive in addition to the supervisors consists of Sheriff, County Clerk, Treasurer, Recorder, Superintendent of

Schools and Surveyor. The Judiciary of: County Judge, (Probate Judge), State's Attorney and Coroner.

In a town the voters meet as a legislature the first Tuesday in April, elect officers at 9:00 a. m. and hold the town meeting in the afternoon. The officers are the following: Supervisor, Clerk, Assessor, Collector, three Highway Commissioners, five Justices of the Peace, for four years, five Constables. The Justices have jurisdiction in all cases punishable by a fine not to exceed $100.

CHAPTER XXXII.

The Administration of Washington 1789-1797

Memorable Events.
Organization of the Government.
The First Cabinet.
Early Legislation; Revenue and Protection.
The Accession of North Carolina and Rhode Island.
The First Ten Amendments.
Funding the Confederate Debt; Domestic and Foreign.
Assumption of the State Debts.
The Compromise; The Capital located.
The First United States Bank and Mint.
American Neutrality.
The Jay Treaty.
The Miami Wars; Harmar and St. Clair.
Anthony Wayne Pacifies the West.
Admission of Vermont, Kentucky and Tennessee.
The Genet Episode.
The Eleventh Amendment.
The Whiskey Insurrection.
Trouble in the Cabinet and Formation of Parties.

SUMMARY.

1789-93. Washington's First Term.

1789. July 27 Department of State established, (called Department of Foreign Affairs). August 7, Department of War established. September 2, Treasury Department established. November 21, North Carolina ratifies the Constitution.

1790. First Census; population 3,929,219. February, First Term of Supreme Court. March 26. Passage of first naturalization bill. May 29, Rhode Island ratifies Constitution. Indian War in Ohio. July 16, Permanent seat of Government established in Washington, (to be ten years in Philadelphia).

1791 February 25, Bank of United States incorporated. March 4, Vermont admitted to Union. November 4, St. Clair defeated by Indians, (also, Harmar in 1790). December 15, First ten amendments ratified.

1792, February 20, First permanent act to organize Post Office Department, (organized before under temporary acts). April 2, United States mint established and Federal system of money provided. June 1, Kentucky admitted to Union. Political parties first formed.

1793. The cotton gin invented by Whitney. Genet's mission from France.

1793-1797. Washington's Second Term. March 4, Washington and

Adams inaugurated. April 22, Washington issues proclamation of neutrality.
1794. Whiskey Insurrection. August, General Wayne defeats Indians on the Miami in Ohio. Trouble with England.
1795. Jay's Treaty. October 27, Treaty with Spain opening the Mississippi.
1796. Tennessee admitted June 1. Washington's farewell address.
I Congress. No party. F. A. Muhlenberg, speaker.
II Congress. Federal. J. Trumbull, speaker.
III Congress. Federal. Muhlenberg, speaker.
IV Congress. Republican. Jonathan Dayton, speaker.

POLITICAL HISTORY AND PUBLIC POLICY.

The electoral votes were as follows: 1789, Washington, 69; Adams, 34; scattering, 35; vacant, 8; total, 146. (Each elector voted for two persons without designating his preference for president). 1792, Federal, 209; (Washington, 132; Adams, 77); Democratic-Republican, 55; (Geo. Clinton, 50; Jefferson, 4; Burr, 1); scattering, 5; vacant, 6; Total, 270.

Frederick A. Muhlenberg, of Pennsylvania, was chosen Speaker of the House, but the vote had no party divisions. Washington selected his cabinet with a careful regard for the opposite opinions of his supporters. The Treasury went to Alexander Hamilton; War to Henry Knox, of Massachusetts, and State to Jefferson, of Virginia. Edmund Randolph, of Virginia, was chosen Attorney-General, and John Jay, Chief Justice. These five men, with Vice President Adams, constituted Washington's cabinet. The most important work of the First Session of the First Congress was the Regulation of Commerce and the adoption of a Tariff. July 4, 1790, the first Tariff Act was passed, which provided among other things "for the encouragement and protection of manufactures."

On January 9, (the 5th day of the session) Hamilton offered his famous "Report on the Settlement of the Public Debt", consisting of three recommendations, the first of which was unanimously adopted, and the other two after reconsideration and debate by a close vote. 1. That the foreign debt of the Confederacy should be assumed and paid in full. 2. That the domestic debt of the Confederacy, which was worthless, should also be paid, at par. 3. That the debts incurred by the States during the Revolution, and still unpaid, should be assumed and paid by the Federal Government ($18,271,786). Total obligation assumed, $75,500,000, which was funded in 6 per cent bonds, which in three years rose to par. The third recommendation was only carried after a compromise in which two Virginia members voted for the recommendation, thus giving the necessary majority, while the Northern votes carried a measure by which the seat of Government was located at Philadelphia for ten years, and to be located on the Potomac permanently after 1800. The chief measure of the Second Session was the establishment of a National Bank, chartered for 20 years

(1791-1811) with a capital of $10,000,000, of which the Government subscribed one-fifth, and the bills of the bank were redeemable in coin and receivable for all Federal public dues. The other important matter was the passage of the unpopular excise law. The mint was established by an act of this session. Jonathan Trumbull was chosen Speaker of the Second Congress. The army and the tariff were both increased by Federal legislation. This Congress passed an apportionment bill (under the Census of 1790) by which the representatives were increased to 105.

Party organization commenced during the close of the first session of this Congress. The Anti-Federalists were undoubtedly in the majority in 1789, at the outbreak of the French Revolution, but were disorganized, until the enthusiasm of the followers of the French Revolution crystallized, around Jefferson, the *Democratic-Republican Party* which was arrayed in 1792 under George Clinton against the Federalist nominee, John Adams, for Vice-President, Washington again being the unanimous choice of the country as President.

Washington's second term was consumed largely in dealing with France and England and with the troubles in Pennsylvania, called the Whiskey Insurrection. France was now a republic and in April, 1793, had declared war against England and Holland and expected help from her former ally. In 1793 the French government sent a minister, Genet, to fit out privateers in American ports against British commerce. Previous to his coming Washington had proclaimed neutrality; and finally Washington firmly prevented Genet from carrying out his purpose. Genet became troublesome and insolent through the year and was finally recalled on Washington's request. Genet's insolence to Washington had been encouraged by the Democratic Clubs. The first session of the Third Congress approved Washington's course, though there was increased hostility to England, and Muhlenberg was elected Speaker.

To prevent further friction with England, Washington sent Jay to London to negotiate a treaty. Before the adjournment of Congress the XI Amendment was adopted. Before the second session of Congress the Whiskey Insurrection in Western Pennsylvania and Virginia was put down, and strengthened Federalism and caused the downfall of the Democratic Clubs, to which Washington attributed the insurrection. The overthrow of Robespierre had much to do with it also. At the second session Jay's treaty was made public with its unpopular and unfortunate provisions. A storm of indignation resulted; Washington even being called "the Step-Father of his country". Jonathan Dayton was chosen Speak- of the IV Congress, which did little but debate the Jay treaty and vilify the Federalists. The storm of this time caused Washington to emit September 17, 1796, his famous *Farewell Address.*

In the election following the Federalists carried the North and the Republicans the South, except Maryland, and there was a slight Federalist majority. Adams, the Federalist, was elected President and Jefferson, the Republican, Vice-President.

CHAPTER XXXIII.

Administration of John Adams, 1797-1801

Memorable Events.

The X, Y, Z Affair; Quasi War with France.
Alien and Sedition Acts.
Virginia and Kentucky Resolutions.
Dissension in the Cabinet.
Jefferson-Burr Presidential Controversy.
Marshall becomes Chief-Justice.

SUMMARY.

1797-1801. John Adams' Term. March 4, inauguration of Adams and Jefferson.

Cabinet: State, Pickering, Marshall; Treasury, Wolcott, Dexter; War, McHenry, Dexter, Griswold; Navy, Stoddert; Postmaster-General, Habersham; Attorney-General, Charles Lee.

1797. February 3, Pinckney, United States Minister to France, dismissed from Paris. (Washington's administration).

1798. June 12, Non-intercourse with France declared by Congress. July 6, French treaties declared void by Congress.

1798. Quasi War with France. January 8, Eleventh Amendment ratified. April 30, Navy Department established. June 25 and July 14, passage of Alien and Sedition Acts. November 14, Passage of "Kentucky Resolutions," drawn by Jefferson, approved by Legislature of Virginia; first distinct enunciation of doctrine of State's Rights; subsequently withdrawn. April 3, the "X, Y, Z" dispatches sent to Congress.

1799. April, Slavery abolished by New York Legislature. December 14, Death of George Washington.

1800. February 3, Frigate Constitution captured French "L'Insurgente". June-August, Government removed to Washington. September 30, Treaty of Peace with France. Second Census; population 5,305,483. Vaccination introduced into the United States.

V Congress. Republican. Jonathan Dayton, speaker.

VI Congress. Federalist. Theodore Sedgwick, speaker.

The Electoral Votes were: 1796, Federal 130; (Adams, 71; Thomas Pinckney, 59;) Democratic-Republican, 98; (Jefferson, 68; Burr, 30); Scattering, 48; Total, 376.

POLITICAL HISTORY AND PUBLIC POLICY.

The administration of Adams was devoted almost entirely to difficulties with France. Adams recalled Monroe and sent Pinckney as minister to France in his place. The French Directory insulted Pinckney and finally dismissed him. Adams then sent Marshall, Gerry and Pinckney as special envoys, and the envoys were given

to understand that bribes and loans were prerequisites to negotiations. The agents sent by Tallyrand were called in the United States papers "X, Y and Z", thus withholding the real names of the bribers. On the return to America of the envoys and the publication of the X, Y Z correspondence a storm against France broke out resulting in practically war during the last half of 1798. Several naval fights occurred, most prominent being that between the Constellation and the L'Insurgente in the West Indies.

Under the influence of the war spirit the Fifth Congress (Jonathan Dayton, Speaker) abolished the treaties with France, formed an army with Washington at its head and increased the navy, ordering it to capture French vessels. Hamilton had resigned from Washington's cabinet in 1795 and had been succeeded by Wolcott, who with the other members of Washington's cabinet (Pickering, State; McHenry, War; Lee, Attorney-General, and Habersham, Postmaster-General) had been retained by Adams. Hamilton dominated the Federal party, and also Adams' cabinet, (though not of it) which caused Adams to readjust his cabinet, resulting in a quarrel between Hamilton and Adams, which split the Federal party.

The French episode caused the Federalists to think Democracy permanently discredited and they had passed: 1. A Naturalization Act lengthening the time of residence. 2. An Alien Act empowering the President to exclude troublesome aliens; and 3. A Sedition Act making it a crime to print or publish certain "writings". These laws produced the Virginia and Kentucky resolutions which enunciated "State's rights and nullification". When the war cloud blew over the Federalists were hopelessly lost, and when the second session of the Sixth Congress met, it was to decide the first undecided presidential contest and the House, though Federalist, was to decide between two Republican candidates. Of the electoral votes Jefferson had 73, Burr 73, Adams 65, Pinckney 64, Jay 1. The House voted by States on the two highest names and on the 36th ballot Jefferson was elected President and Burr Vice-President, the former receiving the votes of ten States and the latter of four.

CHAPTER XXXIV.

The Administration of Jefferson, 1801-1809

Memorable Events.

Purchase of Louisana.
Admission of Ohio.
War with Tripoli.
Burr's Downfall.
Retrenchment at Home and Weakness Abroad.

Summary.

February 19, 1803. Ohio admitted.
(1801. Tripoli War commenced).
April 30, 1803. Purchase of Louisana.
October 31, 1803. Frigate Philadelphia captured by Tripoli.
February 16, 1804. Decatur destroys captured frigate.
August 3-September 5. Tripoli bombarded.
April, 1805. Derne captured by Eaton and Hamet.
June 4, 1805. Peace signed.
March, 1804. Supreme Judge Chase tried, by impeachment, and acquitted.
May, 1804. (November, 1805). Lewis and Clark expedition.
July 12, 1804. Hamilton killed by Burr.
September 25, 1804. 12th Amendment adopted.
1806-1807. Conspiracy and trial of Aaron Burr.
June, 1807. Chesapeake-Leopard affair.
September 4, 1807. Fulton steams Clermont on the Hudson.
December 22, 1807. Embargo Act passed.
February 27, 1809. Embargo Act repealed and Non-intercourse Act substituted.

1801-1805. Jefferson and Burr. (Vote, Jefferson, 73; Burr, 73; Adams, 64; Pinckney, 64; Jay, 1. Jefferson elected by House of Representatives) Cabinet, State, Madison: Treasury, Dexter and Albert Gallatin; War, Henry, Dearborn; Navy, Stoddert, Smith and Jacob Crowninshield; Pastmaster-General, Habersham and Gideon Granger; Attorney-General, Lincoln Smith, Breckinridge and Rodney; Chief Justice, John Marshall.

VII Congress. 236 days. Anti-Federal or Democratic. Speaker, Nathaniel Macon.

VIII Congress. 282 days. Democratic. Speaker, Macon.

1805-1809. Jefferson and Clinton; (vote, Jefferson, 162; Clinton, 163; Pinckney, 14; Rufus King, 14).
1805. March 4, Jefferson and Clinton inaugurated.
Cabinet: Former Cabinet continued except Attorney-General Smith succeeded by Breckinridge and Rodney, successively.
Chief Justice, John Marshall.
IX Congress 234 days. Democratic. Speaker Nathaniel Macon.
X Congress. 299 days. Democratic. Speaker James B. Varnum.

Message to Congress substituted for Federal "speech from throne". Reform; all war ships sold but 13; army cut to 2500; cost of government reduced to $3,700,000 a year. Debt reduced from $83,000,000 in 1801 to $45,000,000 in 1812. Leaders, Jefferson, Madison and Gallatin. Abolished wigs and cues and dignified manners, and introduced democracy, push and modern American life.

Personality of Jefferson.

A political philosopher. Not a strong executive. His strongest act (the purchase of Louisana), was in violation of his loose construction principles. His popularity, nearness to and sincere love for the people, caused him to overshadow and direct political life for twenty years after his retirement to his farm at Monticello.

CHAPTER XXXV.

Madison and the War of 1812, 1809-1817

Memorable Events.

War of 1812.
Indian War in Northwest (Tippecanoe).
Creek War.
Admission of Louisana and Indiana.
War with Algiers.
Death of Federalism.

Summary.

1811. The President and the Little Belt.
1811. November 7, Battle of Tippecanoe.
1812. Admission of Louisana.
1812. June 18, War declared against Great Britain.
1812. Hull surrenders Detroit.
1812. Harrison tries to recover it.
1812. Van Rensselaer repulsed.
1812. Blockade of coast south of Rhode Island.
1813. Frenchtown. Battle of Lake Erie. Harrison invades Canada. Thames.
1813. Ravages of coast of Chesapeake Bay.
1813. York taken and burned.
1813. Expedition against Montreal.
1814. Chippewa, Lundy's Lane, and capture of Fort Erie. Americans driven from Canada.
1814. British come down from Canada. Defeated at Lake Champlain.
1814. March 27, Battle of Tohopeka, Alabama.
1814. December 15, Hartford Convention.
1814. December 24, Treaty of Peace Signed.
1814. Entire coast blockaded. New England attacked. Washington taken and partly burned. Baltimore attacked.
1815. Victory of New Orleans.
The Ship Duels.
Fleet victories on Lake Erie.

1816. United States Bank chartered.
1816. Admission of Indiana.

1809-1813. Madison and Clinton. (Vote, Madison, 122; C. C. Pinckney, 47; Geo. Clinton, 6; Rufus King, 47). Cabinet; State, Smith and Monroe; Treasury, Gallatin; War, Eustis and Armstrong; Navy, Paul Hamilton, William Jones; Postmaster-General, Gideon Granger; Attorney-General, Rodney and William Pinckney (Maryland). Chief Justice, John Marshall.
XI Congress (285 days) Democratic. Speaker, Varnum.
XII Congress (367 days) Democratic. Speaker, Henry Clay.
1810. Third Census; population 7,239,881.
April 26, 1812. Land Office established.
1813-1817. Madison and Gerry. (Vote, Madison, 128; De Witt Clinton, 89; Gerry, 128; Ingersoll, 58). Cabinet: State, Monroe; Treasury, Gallatin, Campbell, Dallas and Crawford; War, Armstrong and William H. Crawford; Navy, Jones and B. W. Crowninshield; Postmaster-General, Granger and Meigs; Attorney-General, Pinckney and Rush; Chief Justice, Marshall.
XIII Congress (371 days) Democratic. Speaker, Henry Clay.
XIV Congress Democratic (240 days). Speaker, Clay.
1813. First steamboat launched on western river, at Pittsburg.
August 27, 1814. Commencement of financial panic.

PUBLIC POLICY.

National debt $217,000,000, of which $80,000,000 was cost of war. Business developed after treaty was signed. English factories then imported to United States and undersold American factories. This changed manufacturing New England from free trade to protection in political views, and the export of cotton to England changed the South from protection to free trade. The isolation of the war had so greatly stimulated American manufactures that with the development of the protection spirit came unusual commercial prosperity. At the end of the war the Federal party ceased to exert any power outside of New England. The name Republican was dropped and the radical party came to be called the Democratic party.

PERMANENT RESULTS OF WAR.

I. We gained the respect of Europe and established superiority of our navy.

II. We proved that no foreign power can gain a permanent foothold on our soil.

III. We are a defensive nation; we fail generally in offensive work.

IV. The British blockade made us a manufacturing nation which gave us commercial independence.

V. We forever silenced the hope of the British that we should again at some time return to the condition of dependence on Great Britain.

CHAPTER XXXVI.

Monroe and Good Feeling, 1817-1825

Memorable Events.

Purchase of Florida.
New States Admitted.
Seminole War.
Monroe Doctrine.
The Erie Canal.
Visit of Lafayette.
Oregon Occupation.
Westward Expansion.
Missouri Compromise.

Summary.

1817. Admission of Mississippi.
1818. Admission of Illinois.
Jackson seizes Pensacola; defeats Creeks.
1819. Admission of Alabama. Treaty for Florida annexation.
(The Dartmouth "College Case"; Steamship Savannah crosses Atlantic).
1820. Fourth Census. Population, 9,638,453. Admission of Maine.
1821. Admission of Missouri. Missouri Compromise.
1823. December 2, Monroe recognizes South American Republics and thus proclaimed the Monroe Doctrine. (Republics acknowledged in 1822, March 19; Doctrine proclaimed 1823).
1824. LaFayette visits the United States. Protective tariff adopted.

1817-1825. Monroe and Tompkins (two terms). (Vote, 1816; Monroe, 183; Rufus King, 34; Daniel D. Tompkins, 183; Scattering, 34; vacant, 4. 1820, Monroe, 231; Adams, 1; Tompkins, 218; Scattering, 14).

Cabinet: State, John Quincy Adams; Treasury, Dallas and Crawford; War, Graham and John C. Calhoun; Navy, Crowninshield, Smith Thompson, Samuel L. Southard; Postmaster-General, Meigs and John McLean; Attorney-General, William Wirt; Chief Justice, Marshall.

XV Congress (249 days) Democratic. Speaker, Clay.

XVI Congress (273 days) Democratic. Clay first session; Taylor second session.

XVII Congress (249 days) Democratic. Speaker, Barbour of Virginia.

XVIII Congress (266 days) Democratic. Speaker, Clay.

PUBLIC POLICY.

By 1820 Slavery had almost entirely disappeared in the North but was increasing in the South on account of the extensive growing of cotton, stimulated by Whitney's invention of the gin. The southern emigrants to territories naturally made slave states out of the states of Kentucky, Tennessee, Alabama and Mississippi. We inherited slavery in Louisana from France. When Missouri applied (being carved out of Louisana Territory) it applied as a slave state. This precipitated the slavery discussion which was then thought permanently settled by the Missouri Compromise which provided for the admission of Missouri as a slave state but forever prohibited slavery in all territory west of Mississippi and north of parallel 36 degrees and 30 minutes.

By a treaty of 1818 with England it was agreed that the northern boundary of the Louisana purchase should be the 49th parallel and that the Oregon country should be held jointly for ten years.

1822 Russia fixed the northern boundary of Oregon at 51 degrees and had planted a colony in California. The Spanish colonies in South America had rebelled and in 1823 Spain successively appealed to the Holy Alliance (Russia, Prussia, Austria and France) to assist in subduing her rebellious colonies. England joined with the United States in protesting against it. In a message to Congress December 2, 1823, Monroe, (at the suggestion of Adams, who was the real author of the protest to the powers and the "doctrine message"), sent to Congress a message announcing three guiding principles as follows: I. The American Continent is no longer open to European colonization. II. The United States would not meddle in the political affairs of Europe. III. European governments must not extend their system to any part of North or South America, nor oppress, nor in any manner seek to control the destiny of any of the nations of this hemisphere.

During these administrations party politics were dead; but it was but the lull before the storm, resulting in an era of the fiercest political strife known to our history.

Although this was a period of apparent union and concord yet in it really commenced the strife (slavery) which resulted eventually in the Civil War.

The chief industrial developments were the lighting by gas in 1823; the building of the Erie Canal in 1817-1825 and the construction of the "National Road". The protective tariff of 1824 was important.

The trouble with the Seminoles resulting in the invasion of Florida by Jackson, caused Spain to see how easy Florida might fall a prey to the United States and persuaded Spain to readily sell Florida for $5,000,000, by a treaty made in 1869 and ratified in 1821.

CHAPTER XXXVII.

Adams' Administration and Jackson's Administrations, 1825-1837

New Political Issues and Parties.
Adams' Election by the House.
Antimasons.
Death of John Adams and Jefferson.
Protective Tariff of 1828.
The First Railroads.
Nullification.
Jackson and the Bank.
The Florida War.
The Spoils System.

Summary.

July 4, 1826. Death of Adams and Jefferson.

Sept. 11, 1826. Seizure of William Morgan and beginning of Antimasonry.

1827. Joseph Smith founds Mormonism.

1827. Quincy Railroad.

1828. Baltimore and Ohio Railroad begun. Opened 1830 Horse power used.

1831. First American built locomotive placed on tracks of South Carolina Railroad.

1828. "Tariff of Abominations" passed. Clay's "American System."

1828. Formation of New Parties.

1830. Fifth Census. Population, 12,866,020.

1832. Great cholera epidemic in United States.

1832. Nullification in South Carolina.

July 10, 1832. Jackson vetoes United States Bank bill.

March 4, 1832. Amended tariff bill passed.

August 2, 1832. Indians under Black Hawk defeated.

1831. Beginning of the Abolition agitation.

1830. General removal of office holders.

1833. Deposits of United States funds in state banks removed.

1835. Beginning of Florida (Seminole) War.

1837. Osceola surrenders.

1836. Arkansas admitted.

1836. Revolt of Texas from Mexico.

1825-1829. Adams and Calhoun. (Jackson, 99; John Quincy Adams, 84; William H. Crawford, 41; Henry Clay, 37; Calhoun, 182; Scattering, 78. John Quincy Adams elected by the House of Representatives).

Cabinet: State, Clay (corrupt bargain?); Treasury, Rush; War, Barbour and Porter; Navy, Southard; Postmaster-General, McLean; Attorney-General, Wirt; Chief Justice, John Marshall.

XIX Congress (259 days). Senate Anti-Administration; House Administration. Speaker, John Taylor.

XX Congress (268 days) Democratic but Anti-Administration. Speaker, Stevenson.

1829-1833. Jackson and Calhoun. (Jackson, 178; John Quincy Adams, 83; Calhoun, 171; Rush, 83; Smith 7).

Cabinet: State, Van Buren and Livingston; Treasury, Ingham, McLane; War, Eaton and Cass; Navy, Branch and Woodbury; Postmaster-General, Barry; Attorney-General, Berrie and Taney; Chief Justice, Marshall.

XXI Congress (264 days) Democratic. Speaker, Stevenson.

XXII Congress Democratic. Speaker Stevenson.

1833-1837. Jackson and Van Buren. (Jackson, 219; Henry Clay, 49; Scattering, 18; Van Buren, 189; Sergeant, 49; Scattering, 48).

Cabinet: State, McLane and Forsyth; Treasury, Duane (removed) Taney (not confirmed) Woodbury; War, Cass; Navy, Woodbury and Dickerson; Postmaster-General, Barry and Kendall; Attorney-General, Taney and Butler; Chief Justice, Marshall (died): Roger B. Taney, 1836.

XXIII Congress (304 days) Democratic. Speaker, Stevenson.

XXIV Congress (300 days) Democratic. Speaker, John Bell.

Politics and Public Policy.

Adams' administration was one of great prosperity. Adams was a Federalist veneered with Democracy. The high protective tariff, the American System, developed two parties, those favoring it, led by Adams and Clay were called the National Republicans (Whigs) and the opponents, Democrats. The two Adams were the only "one term" presidents of our early history: with the elder Adams passed out the colonial strong government policy: with the younger, Eastern and intellectual domination gave way to Western and non-intellectual though honest democracy.

When Jackson entered he discharged ten times as many office holders as had all of his predecessors. Speculation developed so marvelously from 1834 to 1836 that Jackson became alarmed and issued in 1836 the famous "specie circular" which required all purchasers of government land and bonds to make payment in gold or silver. The banks then held less than $38,000,000 in specie against an issue of $525,000,000 in notes. But the storm did not break until the next administration. Meanwhile the United States had paid off all of the public debt and had a surplus in the Treasury.

This was the era of many remarkable labor saving devices and inventions, the McCormick reaper, 1834; the Colt revolver, 1835; gas in general use, 1825; friction match, 1829; Ericsson screw propeller, 1836; Nasmyth steam hammer, 1838; Goodyear's rubber vulcanising, 1839; steam fire engine, 1841. The New York Sun appeared in 1833, the first American one-cent newspaper. This was also the period of the Webster-Haynes debates in the Senate on the Constitution.

CHAPTER XXXVIII.

Administrations of Van Buren, Harrison and Tyler, 1837-1845

Memorable Events.

The Panic of 1837.
The "Gag" in Congress.
The Subtreasury System.
Slavery Riots.
Mormons at Nauvoo.
Canadian Rebellion of 1837 (Caroline Affair).
Harnden's Express and the Daguerrotype.
The Log Cabin and Hard Cider Campaign.
The Liberty Party.
Death of Harrison.
Fiscal Bank Bill and Tyler.
The Dorr Rebellion.
Webster-Ashburton Treaty.
The Texas Question.
The Electric Telegraph.

Summary.

March, 1837. Beginning of the panic.
June 26, 1837. Michigan admitted.
1838. The Alton Riot.
1837. The "Patriot Rebellion" in Canada.
1839. Mormons settle at Nauvoo.
1840. Subtreasury Bill passed.
1840. Sixth Census. Population, 17,069,453.
June 20, 1840. Patent granted to Morse for the Electric telegraph.
1844. First line, Washington-Baltimore opened at government expense.
April 6, 1841. Death of Harrison and Inauguration of Tyler.
1842. Dorr's Rebellion.
July 9, 1842. Tyler vetoes the Whig tariff bill.
August 22, 1842. Webster-Ashburton treaty.
1842. Fremont's expedition to the Rocky Mountains.
June 17, 1843. Dedication of Bunker Hill Monument.
1844. Anti-rent disturbances of New York state.
1845. Florida and Iowa admitted to the Union.

1845. Texas annexed to the United States.

1837-1841. Van Buren and Johnson's Administration. (Vote, Van Buren, 170; Harrison, 73; White, 26; Webster, 14; Mangum, 11; Johnson, 147; Francis Granger, 77; John Tyler, 47; William Smith, 23).

Cabinet: State, Forsyth; Treasury, Woodbury; War, Poinsett; Navy, Dickerson and Paulding; Postmaster-General, Kendall and Niles; Attorney-General, Butler, Grundy and Gilpin; Chief Justice, Roger B. Taney.

XXV Congress (352 days). Small Democratic majority. Speaker, James K. Polk.

XXVI Congress. About evenly divided between Whigs and Democrats. 320 days. Speaker, James K. Polk.

1841-1845. Harrison and Tyler, (President pro tem Southard and Mangum). (Vote, Harrison, 234: Van Buren, 60; Tyler, 234; R M. Johnson, 49; Scattering, 12).

Cabinet: State, Webster, 1841; Legare, 1843; Upshur, 1843; Calhoun, 1844; Treasury, Ewing, 1841; Forward, 1841; Spencer, 1843; Bibb, 1844; War, Bell. 1841; Spencer. 1841; Porter, 1843 (rejected); Wilkins, 1844; Navy, Badger. 1841; Upshur. 1841; Gilmer, 1844; Henshaw, (rejected) 1844; Mason, 1844; Postmaster-General, Granger, 1841; Wickliffe, 1841; Attorney-General, Crittenden, 1841; Legare, 1841; Nelson, 1844; Chief Justice, Taney.

XXVII Congress (464 days) Whig. Speaker, Hunter and Waito.

XXVIII Congress (288 days); Senate, 4 Whig majority; House 26 Democratic majority; Speaker, Jones.

Public Policy.

The panic of 1837 was caused by an overissue of "wild cat" bank notes, which produced a period of inflation punctured by the Specie Circular of 1836. The panic lasted over a year; over $100,000,000 in failures in New York City alone. A peculiar condition: not a dollar of national debt, and yet a financial panic. The government then issued $10,000,000 in Treasury Notes to relieve the government for the losses through the suspension of the "pet" or deposit banks. The Whigs favored another United States Bank, but Van Buren insisted on the Sub-Treasury scheme, which was adopted in 1841, repealed and reestablished in 1846, and still in force. The greatest financial benefit since the day of Hamilton.

The presidential election of 1840 was one of the most exciting in our history, and the defeat of Van Buren was very largely caused by the panic of 1837.

Rhode Island was still governed by the Charter of Charles II, which gave the suffrage to those only who possessed $134 worth of property and their eldest sons. This gave great inequality of representation and two constitutions were proposed in 1841, the "people's" and the "landholder's": on popular vote the former won, but on the ground of fraud the legislature annulled the election, and the two party candidates, Dorr and King, each attempted to seize the government. King held under the old charter and Dorr's followers deserted him and he was arrested, tried, sentenced and afterwards pardoned. In 1843 in a regular convention the constitution was extended by the adoption of an entirely new and liberal constitution.

CHAPTER XXXIX.

Administration of Polk: The War with Mexico, 1845-1849

Memorable Events.

Mexican War.
Oregon Treaty of 1846.
Discovery of Gold in California.
Wilmot Proviso vs. Calhoun Resolution.
Free Soil Party.
Sewing Machine and Ether.
Hoe's Press.
Gadsden Purchase.

Summary.

August, 1845. United States claims territory (by annexation of Texas) from River Neuces to Rio Grande, and Taylor sent to occupy region; fired on by Mexicans; war declared by United States May 13, 1846.

Four campaigns: Taylor in Northern Mexico; Scott in the Valley of Mexico; Kearny in New Mexico; Fremont and Stockton in California.

1846-7. Taylor: Corpus Christi, Fort Brown, Point Isabel, *Palo Alto, Resaca de la Palma, Matamoras, Monterey,* (1847) *Buena Vista.*

1847. Scott: Vera Cruz, *Cerro Gordo,* Pueblo, (August 20-21) *Contreras, San Antonio, Churubusco, Molino Del Rey, Chapultepec,* Mexico (September 14, 1847).

Kearny: Santa Fe, California, (San Diego).

Fremont-Stockton: Sonoma, Monterey.

Treaty of Guadaloupe Hidalgo, February, 1848. United States paid Mexico $15,000,000 and assumed private claims for $3,500,000, in exchange for territory south to southern boundary of New Mexico, the Rio Grande and the Gila River. Five years later (1853) through Capt. Gadsden the United States bought the Mesilla Valley for $10,000,000. The two tracts added to our territory 967,451 square miles, larger than the United States in 1783.

1845. October 10, Naval Academy opened at Annapolis.

1845. March 3, Florida admitted.

1845. December 29, Texas admitted to the Union.

1846. Iowa admitted.

Treaty with Great Britain, June 15, 1846.

September 10, 1846. First completed sewing machine manufactured by Elias Howe.

1846. New tariff act passed.

1846. Sub-treasury re-established.

1847. Mormons emigrate to Utah.

January 19, 1848. Gold discovered in California.

1848. Wisconsin admitted.

1845-1849. Polk and Dallas (Vote, Polk, 170; Clay, 105; Dallas, 170; Frelinghuysen 105). Cabinet, State, James Buchanan; Treasury, Robert J. Walker; War, William L Marcy; Navy, George Bancroft, J. Y. Mason; Postmaster-General, Cave Johnson; Attorney-General, J. Y. Mason, Nathan Clifford, Isaac Toucey, Chief Justice Taney.

XXIX Congress. Democratic. 340 days. Speaker, J. W. Davis.

XXX Congress. 344 days. Senate, Democratic; House, Whig. Speaker, Robert C. Winthrop.

Public Policy.

The Democrats obtained entire government control in 1844. They at once reestablished the sub-treasury scheme and did away with the "American System" by passing a non-protective tariff act in 1857, which remained in force until 1861, when protection was again begun. During this administration the Interior Department was organized, and also the Smithsonian Institution.

The Oregon country was unappreciated until the missionary, Dr. Marcus Whitman, in 1842-3, went to Washington from Walla-Walla, convinced the president that Oregon was worth saving, and brought back with him 800 emigrants. In 1848 Oregon Territory was organized.

The Whigs were opposed to the Mexican War and claimed that the United States instigated it for conquest of slave territory. The Mexican cession again brought up the question of slavery and the Democrats intended to form out of Texas five slave states.

Both parties feared to abide by the Missouri Compromise. The Wilmot Priviso was a provision in an appropriation bill to buy the territory acquired from Mexico (1846), provided that slavery be not allowed in it. The proviso never passed and the slavery question in the new area was not settled until the Compromise of 1850 (and then only temporarily) in the next administration.

In the two years following the discovery of gold in California over 100,000 emigrants went to California: this was called the Gold Fever. In 1845 Congress reduced the rate of postage to a maximum rate of ten cents, (it having been twenty-five), and charged five cents for distances of 300 miles or less. The Wilmot Proviso led to the formation in 1848 of the Free Soil Party. The first Woman's Rights Convention was held at Seneca Falls, N. Y., in 1848.

CHAPTER XL.

Administrations of Taylor, Fillmore and Pierce, 1849-1857

Memorable Events.

Discussion over the admission of California.
The Compromise of 1850.
Fugitive Slave Act and Personal Liberty Laws.
Decline of Whig Party and Rise of American Party.
Death of Clay, Webster and Calhoun.
Kansas-Nebraska Act.
The Struggle for Kansas.
Perry and Japan.
The Ostend Manifesto.
Rise of the Republican Party.
Death of Taylor and Change of Party Leaders.
The Crystal Palace.

Summary.

1850. Seventh Census. Population, 23,191,876.

July 9, 1850. Death of Taylor.

1850. Grinnell Expedition in search for Sir John Franklin, under Dr. Kane. 1853.

Sept. 9, 1850. Omnibus Bill approved.

Sept. 9, 1850. California admitted.

Sept. 16, 1850. Fugitive Slave law approved.

Sept. 20, 1850. First Federal land grant: Illinois Central and Mobile and Ohio Railroads.

March 3, 1851. Postage reduced to three cents.

1851. Maine Prohibition law passed.

1853. Pacific Railroad surveys ordered.

March 31, 1853. Commodore Perry negotiates treaty with Japan.

May 30, 1854. Passage of Kansas-Nebraska Act (Repeal of Missouri Compromise).

1854-56. Kansas-Nebraska struggle.

1855-57. Walker's invasion of and war on Nicaragua.

1855. Rise of the Republican Party.

1853. Crystal Palace Exhibition.

May 26, 1856. Brooks assaults Sumner.

Taylor and Fillmore. 1849-1853. (Vote, Taylor, 163; Lewis Cass, 127; Fillmore, 163; Butler, 127; Van Buren, 0; Charles Francis Adams, 0. Van Buren caused Cass to lose New York, which turned the tide of the election) Cabinet: State, Clayton, Webster Everett; Treasury, Meridith and Corwin; War, Crawford and Conrad; Navy, Preston, Graham and Kennedy; Interior, Thomas Ewing and Alec H. Stuart; Postmaster-General, Collamer, Hall and Hubbard; Attorney-General, Johnson and Crittenden; Chief Justice, Taney

XXXI Congress. Democratic. Speaker, Howell Cobb. 394 days.

XXXII Congress. Democratic. Speaker, Boyd. 363 days.

Pierce and King. 1853-1857. Vote, Pierce, 254; Scott, 42; King, 254; Graham, 42, John P. Hale, 0, George W. Julian, 0). Cabinet: State, Marcy; Treasury, Guthrie: War, Jefferson Davis; Navy, Dobbin; Interior, McClelland; Postmaster-General, Campbell; Attorney-General, Caleb Cushing; Chief Justice, Taney.

XXXIII Congress. 336 days. Speaker, Boyd. Democratic.

XXXIV Congress 363 days. Senate, Democratic; House, opposed. Speaker, N. P. Banks; elected after a ballot of nine weeks on the 133rd ballot. This Congress the stormiest on record.

Public Policy.

Taylor died July 9, 1850, and his successor, Fillmore, leaned towards the Northern anti-slavery Democrats under Seward. King also died in office. California formed a constitution and applied for admission as a free state. Congress debated fiercely over this and other questions involving the salvery question, until Clay (the author of the Missouri Compromise and the Compromise Tariff of 1833) offered the Compromise of 1850. This was presented eventually in three bills: I. California to be admitted as a free state; Texas to be given $10,000,000 to give up claims to New Mexico; the rest of the Mexican cession, outside of California, to be divided into two territories, Utah (including Nevada) and New Mexico including Arizona, and slavery was neither forbidden nor permitted in them. II. Slave trade, but not slavery, prohibited in the District of Columbia. III. A new Fugitive Slave Law, by which runaway slaves in Northern states might be arrested by Federal officials, tried (the slave's testimony being inadmissable) and returned to Southern masters. This took the place of the law of 1793.

After Pierce was inaugurated the slavery question again raged regarding the organization of the territory west of the Missouri, to the Rocky Mountains. In 1854 Stephen A. Douglas brought forward the Kansas-Nebraska Bill, organizing two vast territories, to be called Kansas and Nebraska, and leaving the people of these territories to decide whether they would have slavery or not. As this repealed the Missouri Compromise a fierce debate resulted, but the bill became a law in May, 1854. The struggle for Kansas now began and continued until 1858, each section trying to win Kansas to or against slavery by colonization; in 1858 the pro-slavery people gave up the struggle. The Kansas-Nebraska bill finished the wreck of the Whig party and practically created the Republican party (1856).

CHAPTER XLI.

Administration of Buchanan, 1857-1861

Memorable Events.

Trouble with the Mormons in Utah.
Panic of 1857.
Dred Scott Decision.
Raid of John Brown.
Lincoln-Douglas Debates.
The State Constitutions in Kansas.
Secession.

Summary.

March 6, 1857. Dred Scott decision announced by the Supreme Court.

September 26, 1857. Great Financial Crisis.

1857. Mountain Meadows Massacre. "Mormon War".

May 11, 1858. Minnesota admitted.

August 1858. First cable message across Atlantic.

February 14, 1859. Oregon admitted.

October 16, 1859. John Brown's Raid.

1860. Eighth Census. Population 31,443,321.

December 20, 1860. South Carolina passes ordinance of secession.

1861. January. Secession of Mississippi, Alabama, Florida, Georgia and Louisana.

February 1, Texas secedes.

January 29, Kansas admitted.

February 4, 1861. Convention at Montgomery, Alabama, organizing the Confederate State of America.

January 9, 1861. Steamer Star of the West fired on.

1857-1861. Buchanan and Breckinridge. Vote, Republicans, Fremont, 114; Dayton, 114; Democrats, Buchanan, 174; Breckinridge, 174; Americans, Fillmore, 8; Donelson, 8. (The Whigs, "Silver Greys," met and endorsed Fillmore; the Whigs and Americans now drop out of politics).

Cabinet: State, Cass and Black; Treasury, Cobb, Thomas and Dix; War, Floyd, Holt; Navy, Toucey; Interior, Thompson; Postmaster-General, Brown, Holt and King; Attorney-General, Black and Stanton; Chief Justice, Taney.

XXXV Congress (265 days) Democratic. Speaker, Orr.

XXXVI Congress (289 days). Senate Democratic; House, Opposition. Speaker, Pennington.

Public Policy.

Two days after Buchanan's inauguration the Supreme Court handed down the Dred Scott Decision: 1. Dred Scott was not a citizen, being a slave and therefore could not sue in United States Courts. His residence in Minnesota had not made him free. 2. Congress could not shut out slave property from the territories. 3. The Missouri Compromise was void; this confirmed the Kansas-Nebraska Act and opened to slavery the (then) free territories of Oregon, Washington and Minnesota. This decision stimulated the southern slaveholders; split the Democratic party in the North and so strengthened the Republican party that Lincoln was elected in 1860.

Lincoln and Douglas were rival candidates for the senatorship of Illinois. The campaign included a number of joint debates in towns in Illinois in which the slavery question was lucidly presented and although Douglas was elected, yet Lincoln won a national reputation and compelled Douglas to take such a position on "popular sovereignty" and the Dred Scott decision that Douglas failed later to receive the support of the South and thus Lincoln was elected.

In October, 1859, John Brown with 21 followers seized the United States Arsenal at Harper's Ferry with the intention of liberating the slaves. Brown and six of his associates were tried, convicted and hanged.

In the election of 1860 the Democratic party split into Northern and Southern sections; the former nominating Stephen A. Douglas and Herschel V. Johnson; and the latter, John C. Breckinridge and Joseph Lane; the former declared for "popular sovereignty" and the latter that Congress must protect slavery in the territories. The Republicans nominated Lincoln and Hannibal Hamlin, and declared that Congress must forbid slavery in the territories. The American Party declared for "the Constitution, the Union and the enforcement of the laws," and was generally called the "Union party." The vote was as follows: Lincoln and Hamlin, 180; Breckinridge and Lane, 72; Bell and Everett (American Party) 39, and Douglas and Johnson, 12. Douglas received the next largest popular vote to Lincoln but carried only Missouri and three votes of New Jersey. New Jersey cast for Douglas. Bell carried Virginia, Kentucky and Tennessee; Breckinridge carried all the slave states except Virginia, Kentucky, Tennessee and Missouri.

As soon as Lincoln's election was made certain South Carolina passed an ordinance of secession. The six other cotton states, Mississippi, Alabama, Florida, Georgia and Louisana in January and Texas in February seceded, but the vote in all of these states but South Carolina was very evenly divided between Union and Se-

cession. The Confederacy was organized at Montgomery with Jefferson Davis as President and Alexander H. Stevens as Vice-President. The Federal Government did nothing to prevent this secession, and all United States stores and forts in the South fell into the hands of the South but Key West, Fort Pickens and Fort Sumter.

CHAPTER XLII.

Lincoln's and Johnson's Administrations and the Civil War, 1861-1869

Memorable Events.

Fort Sumter.
Volunteers.
Secession of Eleven States.
West Virginia, Delaware, Maryland, Kentucky and Missouri remain in Union.
The Civil War.
Trent Affair.
Sioux War.
Emancipation Proclamation.
New York Draft Riots.
Alabama and Kearsarge.
Assassination of Lincoln.
Purchase of Alaska.
National Debt.
Reconstruction.
Constitutional Amendments.
Impeachment of Johnson.
Election of Grant.
Terms of Office Bill.
Trans-Atlantic Cable.

Summary.

1861, April 13. Evacuation of Sumter.
April 15. First call for 75,000 volunteers.
April 19. First bloodshed at Baltimore.
April 17. Virginia secedes.
April 19. President declares blockade of South.
May 6. Arkansas secedes. Capital of Confederacy removed to Richmond.
May 20. North Carolina secedes.
June 8. Tennessee secedes.
June 10. Butler defeated at *Big Bethel.*
July 21. *Bull Run.* Union Army defeated.

July 23. Call for 500,000 three month's volunteers.
August 10. Lyon defeated and killed at *Wilson's Creek.*
October 21. *Ball's Bluff.* Senator Baker killed.
November 7. Grant defeated at *Belmont.*
November 8. The "Trent Affair". Mason and Slidell taken from Wilkes.
1862. January 19. *Mill Spring.* Union victory.
February 6. Capture of Fort Henry by Grant and Foote.
February 8. Capture of Roanoke Island by Burnside.
February 10. Capture of Fort Donelson by Grant.
February 25. Passage by Congress of "Greenback Act". Issue $150,000,000 in notes.
March 5-8. Merrimack and Monitor in Hampton Roads.
April 6-7. *Shiloh.* Union victory. Confederate A. S. Johnson killed.
April 7. Capture by Federals of *Island No. 10.*
April 24. Farragut runs the Mississippi forts.
April 28. Capture of New Orleans by Butler and Farragut.
May 4-5. Capture of Yorktown by Federals under McClellan.
May 10. Evacuation by Confederates of Norfolk.
May 20. Congress passes the Homestead Act.
May 31. . Fair Oaks. Union victory.
May-June. Jackson defeats Union forces in Shenandoah.
June 29. McClellan commences seven days retreat.
June 30. Repulses Confederates at *Glendale;* July 1, *Malvern Hill.* Indecisive.
August 9. Jackson defeats Banks at *Cedar Mountain.*
August 29-31. *Second Bull Run* and *Chantilly.* Confederate victories.
September 19. *Antietam.* Union victory.
September. Bragg invades Kentucky.
October 8. *Perryville.* Indecisive.
December 13. *Fredericksburg.* Confederate victory.
1863. January 1. Emancipation Proclamation.
Feb. 25. National Banking system organized.
March 3. Draft Act passed.
May 2-3. *Chancellorsville.* Confederate victory.
June 19. West Virginia admitted.
June. Lee's invasion of the North.
July 1-3. *Gettysburg.* Union victory. Union loss 23,000; Confederate 30,000.
July 4. Pemberton surrenders *Vicksburg* to Grant with 27,000 prisoners.

TURNING POINT OF THE WAR. Confederacy cut in two. Confederates now on defense.

1863. September 19-20. *Chickamauga.* Confederate victory.

1863. November 24-25. Hooker's Division carries Lookout Mountain and Missionary Ridge.

May 5, 1864. *Wilderness.* Loss, 35,000 on both sides.

June 3. *Cold Harbor.* Federals cross the James.

October 19. *Cedar Creek.* Sheridan defeats Early.

May 6. Sherman starts for the Sea. September 1-3. Enters Atlanta.

June 3. National Bank Act passed.

June 19. Kearsarge sinks the Alabama, off French coast.

August 6-22. Forts in Mobile Bay carried by Farragut and Granger.

October 3. Nevada admitted.

December 10. Sherman reaches Savannah and presents it to Lincoln December 20-21.

1865. March 4. Lincoln and Johnson inaugurated. 1865.

April 2-3, 1865. Confederates evacuate Petersburg and Richmond.

April 9, 1865. Appomattox.

April 14-15. Lincoln Assassinated. Seward attacked. Johnson inaugurated.

April 26. Johnson surrenders to Sherman.

December 18. Thirteenth Amendment adopted.

1866. Atlantic Cable successfully laid.

1867. February 9. Nebraska admitted.

March 2. First Reconstruction Act.

March 30. Alaska purchased for $7,200,00.

September 7. Amnesty proclamation.

1868. Stanton suspended from office. (Senate re-instates him).

February 24-March 5. Articles of impeachment prepared by House; Senate to try.

May 26. Impeachment fails. President acquitted: 36 for guilt; 19 against.

July 28. Secretary Seward announces ratification of Fourteenth Amendment.

March 4, 1869. Grant and Colfax inaugurated.

1861-1865. Lincoln and Hamlin, (Vote, Lincoln and Hamlin, 180; Breckinride and Lane, 72; Douglas and Johnson, 12; Bell and Everett, 39). Cabinet: State, Wm. H. Seward; Treasury, Salmon P. Chase, Wm. P. Fessenden; War, Simon Cameron, E. M. Stanton; Navy, Gideon Welles; Interior, Caleb B. Smith and John P. Upshur; Postmaster-General, Montgomery Blair, William Dennison; Attorney-General, Edward Bates and James Speed; Chief Justice, Roger B. Taney (deceased), Salmon P. Chase, December 6, 1864.

XXXVII Congress. 356 days Republican. Speaker, Galusha A. Grow.

XXXVIII Congress. 299 days. Republican. Speaker, Schuyler Colfax.

1865-1869. Lincoln and Johnson, (Vote, Lincoln, 212; Johnson, 212;

McClellan, 21; Pendleton, 21). Cabinet: State, Seward; Treasurer, McCullough; War, Stanton; Grant; Navy, Welles; Interior, Smith, Upshur, James Harlan, Browning; Postmaster-General, Dennison, Randall; Attorney-General, Bates, Speed, Stanberry, William M. Evarts; Chief Justice, Salmon P. Chase.

XXXIX Congress. 329 days. Republican. Speaker, Schuyler Colfax.

XL Congress. 382 days. Republican. Speakers, Schuyler Colfax and Theodore Pomeroy.

Public Policy.

In 1861 the fighting was only in Virginia and Missouri. The Federals had formed a magnificent army and navy and the 9,000,000 of the Confederacy were blockaded. The battles of 1861 were mostly Confederate victories. In 1862 the Union line had been advanced across Tennessee, and the Mississippi had beeen almost opened. 1,300,000 Union volunteers had been called out and the Federal expenses were nearly $3,000,000 a day.

In 1863 the Federals secured Kentucky, Tennessee, Missouri and Arkansas and the war changed to the southern border of these states. Each half of the Confederacy fought for itself. Political generals on the Union side now disappeared and we have Grant, Sherman and Sheridan, all hard fighters. Lee's brilliant campaigns in Virginia, Maryland and Pennsylvania were the features of the year.

The operations of 1864 crushed the Confederacy. The two Confederate armies were Hood's of 75,000 men in the South, destroyed by Thomas at Nashville, and Lee's of 62,000 before Richmond. Sherman's march ruined the storehouse of the Confederates. In 1865 Sherman marched north to meet Grant and the armies of Johnston and Lee were thus kept apart until each was forced to surrender, Lee to Grant, April 9, and Johnston to Sherman April 26.

During the entire war the Federals had in their armies 2,690,401 men, the largest in service at any one time was in May, 1865, 1,000,516. At the end of the war the Union navy numbered 700 vessels and 50,000 sailors. The Confederate total of the war was probably 1,300,000, the largest number being January, 1863, 690,000. About 300,000 dead on both sides.

Most of the taxes of the United States, 1861-65, $780,000,000 were spent on the war, and in addition to this the national debt at the end of the war was $2,850,000,000. The Union cost is generally estimated at $3,660,000,000 and the Confederate at $1,500,000,000.

The war taught many things, among them: 1. No peaceable secession. 2. Slavery weakens a country socially and economically. 3. Republican government has great power of self-perpetuation. 4. Four million blacks freed. 5. The Union not divided. 6. The courage and self-sacrifice of Americans is beyond calculation.

On June 3, 1864, the final National Banking Act, suggested by

Secretary Chase, was passed. This was in response to the widespread dissatisfaction with State banks in general and caused primarily by the evils resulting from the "wild-cat" currency which caused the panic of 1857. It established a national banking officer called the Controller of the Currency; permitting five or more persons to form a National Bank with a capital of not less than $200,000 in cities over 50,000; $100,000 in cities over 60,000, and $50,000 in cities under 6,000. Not less than one-third of capital must be invested in United States Bonds, upon which circulating bank notes may be issued equal in amount to 90 per cent of the current market value, but not exceeding 90 percent of the par value of the bonds, which bonds must be deposited with the Controller. These notes were declared legal tender except for duties, interest on public debt and redemption of currency. In 1865 an act was passed taxing all other banking note issues 10 per cent, which practically taxed out of existence State bank circulation. (By a later act, Act of 1890, a national bank may be organized in a town of 3,000 or less with a capital of $25,000 secured by bonds, and circulation may be issued on the full amount of bonds, with a tax on circulation of one-fourth of 1 per cent).

CHAPTER XLIII.

Administration of Grant, 1869-1877

Memorable Events.

Re-admission of Southern States.
Completion of the Pacific Railroads.
Alabama Claims Award.
Expatriation acknowledged by England and Germany.
Fifteenth Amendment.
Panic of 1873.
Centennial Exhibition.
Indian Wars with Modocs and Sioux.
Credit Mobilier, Salary Grab, Whiskey Ring, and other Scandals.
Electoral Commission of 1876.

Summary.

1869. First Pacific Railway completed. San Domingo Treaty.
1870. Virginia, Mississippi, Texas and Georgia re-admitted.
Ku-Klux-Klan troubles in the South.
Fifteenth Amendment ratified.
Ninth Census, population 38,558,371.
1871. Treaty of Washington with Great Britain refers to arbitration, the Alabama Claims, the Fishing Question and the Northwest boundary, and in
1872. The Genevan Arbitration gives decision for the United States.
1872. Modoc War; burning of Boston.
1872. The bribery through the Credit Mobilier.
1873. The Great Financial Panic.
1876. Centennial Exhibition.
1876. Colorado admitted to the Union.

1868-1871. Grant and Colfax, (Vote, Republican: Grant 214, Colfax 214; Democratic: Seymour 80, E. P. Blair 80; vacant electoral votes, 81).
1872-1876. Grant and Wilson, (Vote, Republican: Grant 286, Wilson 286; Democratic and Liberal Republican: Horace Greeley (died before election); vote cast for Hendricks 42, Brown 18, Greeley 3, Jenkins 2, David Davis 1. Brown 47 (for vice president); Democratic: Charles O'Conor; Temperance: James Black; not counted 17. Cabinet: State, Washburne and Fish; Treasury, Boutwell, Richardson, Bristow and Morrill; War, Rawlins, Sherman, Belknap, Taft and Cameron; Navy, Borie and Robeson;

Interior, Cox, Delano and Chandler; Postmaster-General, Cresswell, Jewell and Tyner; Attorney-General, Hoar, Ackerman, Williams, Pierrepont and Taft.

XLI Congress. Republican. Speaker, James G. Blaine.
XLII Congress. Republican. Speaker, James G. Blaine.
XLIII Congress. Republican. Speaker, James G. Blaine.
XLIV Congress. Senate, Republican; House, Democratic. Speaker, M. C. Kerr (died), Samuel J. Randall.

In 1869 the Central Pacific Railroad (San Francisco to Ogden) and the Union Pacific Railroad (Ogden to Omaha) were completed with government financial aid and united the Pacific to the Atlantic by rail. In the same year San Domingo applied for admission to the Union but the treaty drawn up was so unpopular that it was rejected by the Senate. In 1869 the Fifteenth Amendment was proposed in Congress and after ratification of this and the Fourteenth Amendment, the States of Virginia, Mississippi, Texas and Georgia were readmitted to the Union, and as Tennessee had reentered in 1866, Arkansas in 1868, and by a special act in 1868, North Carolina, South Carolina, Louisana, Alabama and Florida had been readmitted, the Second Session of the XLI Congress in 1871 saw for the first time since December, 1860, all the States represented in Congress.

The whites of the south bitterly opposed negro dominition. Secret orders, such as the Ku-Klux-Klan, terrorized the negroes and the white "carpet-baggers", which outrages were increased rather than crushed by the "Force bills" of 1870 and 1871. The country soon wearied of the disgrace and in the elections of 1874 elected enough Democratic members to permit public sentiment in the South to deprive the negro of political power.

1871 by Treaty the "Alabama" claims for property destroyed by Confederate cruisers, the Alabama and others, fitted out in English ports, were submitted to arbitration. This court sat at Geneva, Switzerland, and in 1872 decided that Great Britain should pay the United States $15,500,000 as compensation.

During Grant's first term two scandals developed, the acceptance of large bribes, in stock of the Credit Mobilier, by members of Congress for voting for the benefit of the Union Pacific Railroad, and an attempt to increase the salaries of the officers of the government, including the salaries of members of Congress. In the second term another attempt to defraud the government was discovered in the unearthing of a Whiskey Ring in the West, an association of Federal officials and liquor manufacturers for fraudulent purposes.

In 1871 the city of Chicago was destroyed by fire, loss over $200,000,000, depriving 100,000 people of homes. In 1872 Boston suffered similarly, loss $70,000,000. These cities were both rebuilt finer than before.

In 1876 the first great International Fair was held. At Philadelphia the Centennial Exposition celebrated the one hundredth anniversary of independence. It proved a great stimulus to industry and mechanical ambition.

In general the administrations of Grant were devoted to the after effects of the Civil War; the restoration of normal conditions financial, political and social, and the general corruption and lawlessness were natural to such a critical period. Grant trusted too greatly to untrustworthy men and, although personally free from blame, yet he retired from the Presidency much injured in reputation. His administrations produced a period of great speculation followed by the great financial panic of 1873 causing failures in excess of $200,000,000. This and other causes produced a great political reaction almost electing Tilden and giving the country a much needed period of financial sobriety and political quiet.

CHAPTER XLIV.

Administration of Hayes, Garfield and Arthur, 1877-1885

Memorable Events.

Electric Inventions.
Civil Service Reform.
Great Prosperity.
Resumption of Specie Payments.
Greenback Question.
The Bland Silver Bill of 1878.
Railroad Strikes of 1877.
Nez Perce War.
Civil Service Act of 1883.
Tariff Agitation; Act of 1883.
Republican Factions.
Death of Garfield.

Summary.

1877-1881. Hayes and Wheeler's administration.

1877. Nez Perce War and Railroad Strikes.

1878. Yellow-fever epidemic in South. Remonetization of Silver.

1879. Resumption of Specie Payments.

1880. Treaty with China regarding restriction of immigration. Tenth Census, population 50,155,783.

1881. Garfield inaugurated March 4. Died September 19.

1881. Arthur took office July 3, temporarily; permanently September 20.

1881. Atlanta and Yorktown Expositions.

1882. Mississippi Floods. Act regulating Polygamy.

1883. New Tariff Act. Civil Service Act, (Pendleton Bill).

1884. Cincinnati Riots. New Orleans Exposition.

Electoral vote: 1876: Republican, Hayes, 185; Wheeler, 185; Democratic, Tilden, 184; Hendricks, 184; Greenback, Peter Cooper, 0; Prohibition, Smith, 0 (Vote decided by the Electoral Commission).

Cabinet: State, Evarts; Treasury, John Sherman; War, McCrary, Ramsey; Navy, Thompson, Goff; Interior, Schurz; Attorney-General, Devens; Postmaster-General, Key, Maynard.

1880: Republican, Garfield, 214; Arthur, 214; Democratic, Hancock, 155; English, 155; Greenback, James B. Weaver, 0.

Cabinet: State, Blaine, Frelinghuysen; Treasury, Windom, Folger; War, Lincoln; Navy, Hunt; Interior, Kirkwood; Attorney-General, MacVeagh, Brewster; Postmaster-General,, James, Howe.

XLV Congress. Senate, Republican; House Democratic. Speaker, Samuel J. Randall.

XLVI Congress. Democratic. Speaker, Randall.

XLVII Congress. Republican. Speaker, J. Warren Keifer.

XLVIII Congress. Democratic. Speaker, Carlisle.

PUBLIC POLICY.

This was a period of comparative political quiet and great commercial prosperity. Electric lights, telephones and other application of electricity for the first time. Hayes did not have political co-operation in Congress and could accomplish little, but as he had the ablest Cabinet since Washington many good steps were taken, particularly: I. Silver had been dropped from the coinage in 1873 as it was dearer than gold and was not in circulation. In 1878 silver was used in coinage as it was now cheaper than gold and readily circulated. By the Bland-Allison bill the United States should coin "not less than $2,000,000 nor more than $4,000,000 worth" of silver "per month", at the ratio of 16 to 1; though there was "free coinage" of gold, this was not "free coinage" of silver. Under this act 400,000,000 silver dollars were coined, although when there was free coinage (from 1789 to 1873) but 8,000,000 silver dollars were coined. This act increased the circulation and increased business. II. From 1862 to 1879 the only money in use was paper money (greenbacks) issued by the government and by national banks, except that interest on the public debt and duties on imports were paid in coin. In 1879 the government proclaimed that it would hereafter redeem its paper money in coin. This statement was all that was necessary and paper dollars soon rose to par and the people preferred the paper money to the new coinage. III. The old high interest bonds were retired in favor of new low bonds. thus saving an annual interest charge of over $30,000,000.

The two main features of the administrations of Garfield and Arthur were: I. The Pendleton Civil Service Act, which was the first serious attempt to do away with the "Spoils System," and II. The attempt in the Tariff of 1883 to lower the very high tariff under which "trusts" and millionaires were fostered. The tariff question became the issue in politics for the next eight years.

CHAPTER XLV.

Administrations of Cleveland, (first term) Harrison and Cleveland, 1885-1897

Memorable Events.

Chicago Riots.
Presidential Succession.
Interstate Commerce Commission.
Admission of New States.
Pension Vetoes.
McKinley Tariff.
Pan American Congress.
New Congressional Rules.
Sherman Silver Law.
Difficulties with Italy and Chile.
Panic of 1893.
Wilson Tariff.
Relations with Hawaii and Venezuela and England.
The Chicago World's Fair.

Summary.

1886. May 4. Strike Riots. "Haymarket" Riot.
1886. Apache Indians subdued.
1886. January 19. Presidential Succession Act passed.
1887. Indian Severalty Act passed.
1887. Farmer's Alliance formed; becomes Peoples' Party.
1887. Edmunds-Tucker Act punishing polygamy.
1888. Australian ballot system introduced in States.
1889-1890. Territory of Oklahoma organized and opened for settlement.
1889. Admission of North Dakota, South Dakota and Washington; also Montana.
1890. Eleventh Census, population 62,622,250.
1890. Admission of Idaho and Wyoming.
1890. October 1. McKinley Tariff Bill passed; duties raised to about 49 per cent; "free list" increased.
1890. July 14. Sherman Silver Act passed; Secretary of the Treasury must buy 4,500,000 ounces of silver a month, paying for it in silver certificates, a new form of government greenback.

1890. Pan American Congress.

1890. Type-setting and type-casting machines in use.

1891. October. Trouble in Valparaiso, Chile over crew of Baltimore.

1890. "Reed's Rules" adopted in the House of Representatives and filibustering prevented.

1892-1894. Many Labor Riots and Strikes.

1894. Wilson Tariff Bill passed; greatly reduced.

1895. December. Cleveland's Venezuelan Message; a new Monroe Doctrine.

1896. Utah admitted.

1893. World's Columbian Exposition.

Electoral votes, 1884: Democratic, Cleveland, 219; Hendricks, 219; Republican, Blaine, 182; Logan, 182, 1888; Republican, Harrison, 233; Morton, 233; Democratic, Cleveland, 168; Hendricks, 168. 1892: Democratic, Cleveland, 277; Stevenson, 277; Republican, Harrison, 145; Reid, 145; People's, Weaver, 22.

Cabinet: State, Bayard, 1885; Blaine, 1889; Foster, 1892; Gresham, 1893; Olney, 1895. Treasury, Manning, 1885; Fairchild, 1887; Windom, 1889; Foster, 1891; Carlisle, 1893. War, Endicott, 1885; Proctor, 1889; Elkins, 1891; Lamont, 1893. Navy, Whitney, 1885; Tracy, 1889; Herbert, 1893. Postmaster-General, Vilas, 1885; Dickinson, 1888; Wanamaker, 1889; Bissel, 1893; Wilson, 1895. Interior, Lamar, 1885; Vilas, 1888; Noble, 1889; Smith, 1893; Francis, 1896. Agriculture, Colman, 1889; Rusk, 1889; Morton, 1893. Attorney-General, Garland, 1885; Miller, 1889; Olney, 1893; Harmon, 1895.

XLIX Congress. Senate, Republican; House, Democratic. Speaker, John G. Carlisle.

L Congress. Senate, Republican; House, Democratic. Speaker, Carlisle.

LI Congress. Republican. Speaker, Reed.

LII Congress. Senate, Republican; House, Democratic. Speaker, Chas. F. Crisp.

LIII Congress. Senate, Republican; House, Democratic. Speaker, Crisp.

LI Congress, Republican. Speaker Thomas B. Reed.

Public Policy.

With Cleveland the "young Democracy" came to the chair and the Civil War issues died politically and economic issues replaced them. The campaigns of 1888 and 1892 were almost wholly on the tariff question, that of 1884 being clouded by the personality of the candidates. In the administration of Harrison the monetary question again became prominent and the silver coinage advocates adopted the same arguments used by the "Greenbackers" and all the "cheap money" parties, arraying the "debtor class" against the "creditor class". The tariff and the "silver question" have overshadowed all other political questions from 1884 to 1898.

One of the first acts of the First Congress, in 1789, was the passage of a "protective tariff" act. The higher tariff of the Act of 1816 remained until 1824 when the question was agitated in several acts, 1824, 1828, and 1832, culminating in the Compromimse Tariff

of 1833, which was to be gradually reduced until 1842 when the tariff was to be one of only 20 per cent. But in 1842 another act was passed which practically restored the tariff of 1832; this was followed by a tariff of 1846, taxing luxuries 100 per cent, and necessities about 25 per cent. In 1857 the tariff was again reduced to an average of 20 per cent, (which did not prevent the panic of 1857), and this remained until the War Tariff of 1861, which raised the taxes from $40,000,000 in 1860 to $1,290,000,000 in 1864. In 1883 the duties were lowered but the average raised from 43 per cent to 45 per cent.

In 1888, the McKinley bill raised the average to 49 per cent, but greatly increased the number of articles admitted "free of duty". This high protection elected Cleveland for his second term and the Democrats then passed the Wilson Bill of 1894, which included the "income tax", 2 per cent on all incomes exceeding $4000, (afterwards declared unconstitutional). This reduced the revenue from $203,000,000 in 1893 to $132,000,000 in 1894, and produced the first serious deficit since the Civil War, over $70,000,000.

July 24, 1897, the Dingley Bill was passed. This practically restored the high tariff of the McKinley Bill.

CHAPTER XLVI.

Administrations of McKinley and Roosevelt, 1897-19—

Memorable Events.

Dingley Tariff.
The War with Spain.
Annexation of Hawaii.
Philippine Revolt and Pacification.
Trouble in China.
Hay-Pauncefoot Treaty.
Death of McKinley.
Relations with Cuba.
Louisana Purchase and the Lewis-Clarke Expositions.
The Panama Canal.
Baltimore Fire.
San Francisco Earthquake.
Prosecution of Great Corporations.
Labor Troubles.

War With Spain.

1898. February 15. Maine blown up.
1898. April 20. War begun; declared by Spain April 24.
War at Sea.
1898. May 1. Manila Bay.
1898. April- July. Cuba blockaded.
1898. June 3. Hobson's exploit.
On Land and Sea.
1898. June 21. Cuba invaded.
1898. July 1. El Caney and San Juan.
1898. July 3. Battle of Santiago.
1898. July 17. Santiago surrenders.
1898. August 12. Peace Protocol signed.
1898. August 13. Manila falls.
1898. December 12. Treaty of Paris.

Summary.

1897. The Dingley Tariff. Another "high" tariff.
1898. Spanish War.
1898. Annexation of Hawaii.

1899. Samoa divided; United States receives Tutuila and Pago-Pago.

1899. Court of Arbitration established at La Hague, Holland.

1900. Twelfth Census, population, 76,303,387.

1900. Seven united nations rescue those beseiged in Pekin by the Boxers.

1907. Oklahoma admitted.

Electoral votes: 1896: Republican, McKinley, 271; Hobart, 271; Democratic, Bryan, 176; Sewall, 176. 1900: Republican, McKinley, 292; Roosevelt, 292; Democratic, Bryan, 155; Stevenson, 155. 1904: Republican, Roosevelt, 336; Fairbanks, 336; Democratic, Parker, 140; Davis, 140.

Cabinet: State, Sherman, 1897; Day, 1898; Adee, 1898; Hay, 1898; Root, 1905. Treasury, Gage, 1897; Shaw, 1902; Cortelyou, 1907. War, Alger, 1897; Root, 1899; Taft, 1904. Navy, Long, 1897; Moody, 1902; Morton, 1904; Bonaparte, 1905; Metcalf, 1906. Postmaster-General, Gary, 1897; Smith, 1898; Payne, 1902; Wynne, 1904; Cortelyou, 1905; Myer, 1907. Attorney-General, McKenna, 1897; Griggs, 1898; Knox, 1901; Moody, 1904; Bonaparte, 1906. Interior, Bliss, 1897; Hitchcock, 1898; Garfield, 1907. Agriculture, Wilson, 1897. Commerce and Labor (created in 1903), Cortelyou, 1903; Metcalf, 1904; Straus, 1906.

LV Congress. Republican. Speaker, Reed.
LVI Congress. Republican. Speaker, David R. Henderson.
LVII Congress. Republican. Speaker, Henderson.
LVIII Congress. Republican. Speaker, Joseph G. Cannon.
LIX Congress. Republican. Speaker, Cannon.
LX Congress. Republican. Speaker, Cannon.

Public Policy.

This period is marked by the enthusiasm and territorial increase following the Spanish-American War, and by the attempt to solve certain economic questions.

The treaty of Paris closing the War with Spain was signed December 10, 1898, and provided that "Spain relinquishes all claim of sovereignty over and title to Cuba", and to the United States ceded Porto Rico, the Philippine Islands, Gaum and the Ladrones, and the United States was to pay Spain for the Philippines $20,000,000. Porto Rico is governed by a territorial government differing from both an unorganized territory, such as Alaska, or an organized one, such as Hawaii. There is a governor and upper house appointed by the President, and a lower house elected by the people. The Philippines has a similar government with an assembly, which met for the first time, opened by Secretary of War Taft, October 16, 1907, elected by the people. The Hawaiian Islands were annexed by joint resolution of Congress July 7, 1898, and in addition to Tutuila Island, Samoa, (acquired by treaty in 1889) the United States took possession for telegraph and other purposes the hitherto unoccupied islands of Christmas, Baker, Midway, Wake and Howland.

Congress decided that the island possessions were not "under

the flag" to the extent of being under the provisions of the Dingley Tariff and passed a separate tariff act in 1900. In 1901 the Supreme Court held, that such a separate act was constitutional, that these islands were not foreign possessions and yet were not completely a part of the United Stats, until Congress should by joint resolution annex them.

The silver question became paramount in the election of 1896. The coinage act of 1792 provided for a silver dollar of such weight that the gold in fifteen gold dollars would weigh as much as the silver in one silver dolllar; this is known as 15 to 1. Before the panic of 1857 when depreciated bank notes crowded out specie the coinage act of 1834 changed the ratio between gold and silver from 15 to 1, to 16 to 1. This overvalued silver and caused silver soon to completely pass from circulation, so that when by the coinage act of 1873 the coinage of silver dollars was stopped it did not create any excitement or interest. This was afterwards called the "crime of '73". New silver mines opened and silver fell lower and lower when measured in gold until many said that silver was low because it was "demonetized", (not coined). To offset this criticism the Bland Act of 1878 was passed, but this did not give "free silver", permitting free coinage, that is, allowing anyone to take a dollar's weight of silver (worth about forty cents) to the mint and have it coined into a full value silver dollar. In 1878 a silver dollar was worth 89 cents in gold; in 1889 but 73 cents, and in 1892 but 67 cents; its value was maintained only by its exchangeability for gold. In 1890, to meet and anticipate the silver movement, the Sherman Act was passed. The $4,500,000 of silver bullion to be purchased each month by this act was to be bought by silver "certificates" "exchangeable for coin". The government interpreted "coin" to mean "gold coin". This increased the note circulation without increasing silver circulation, until by 1893 the notes amounted to almost $500,000,000. It was claimed that the panic of 1893 was caused by this great inflation of the currency and so that in November, 1893, the Sherman Act was repealed. Prosperous conditions soon followed so that when in March, 1900, a brief coinage act was passed placing the whole country on an honest outspoken and definite gold basis the nation was almost unanimous in its approval. Conditions since have warranted the single standard action and the silver question, like that of the United States Bank and Greenbacks, has passed into history and is no longer a live question.

In 1902 a strike occurred in the coal mining regions, originating in Pennsylvania and extending westward. It threatened to stop all business and to cause widespread misery. President Roosevelt appointed a Commission of Arbitration which settled the strike sat-

isfactory of the parties concerned and prevented great loss of values and of life.

November 3, 1903, a revolution broke out in the City of Panama resulting in the expulsion of Columnian authority from the Isthmus of Panama. A Republic of Panama was established, which was recognized by President Roosevelt November 13, and by France, Great Britain, Germany and Russia, later. This Republic at once concluded an Isthmian Canal Treaty with the United States which was approved by the Senate February 23, 1904, by which the exclusive jurisdiction and control was granted to the United States to all land, etc., five miles on each side of the Panama Canal, and to certain islands in the bay at Panama. This Canal Zone is ruled by a Commission appointed by the President under the Canal Zone Act, with a Governor of the Zone, who is also Minister to Panama. The rights of the old French (de Lesseps) Company, with all material, were purchased by the United States for $40,000,000 and work was at once begun upon the canal, which is now rapidly progressing.

President Roosevelt won great praise for his outspoken and energetic attack upon the great corporations. The enforcement of the rules of the Interstate Commerce Commission, of the Anti-trust law, the Rate law, and other radical measures and the fining of the Standard Oil Company in 1907 the enormous sum of $29,000,000 were but incidents in a strenuous attack upon all corporate and civic infidelity, such that a tide of political and financial reform rushed over the country; the investigation of the Insurance companies in New York; the prosecution of United States Senators for land and other frauds; the suits of railroad companies by Federal and State authority for back-taxes and violations of the Rebate Law, and even the interference with the action of certain southern States when such action interfered with the Immigration and other laws, all resulted in such distrust that an acute financial crisis occurred in 1907 caused by the fear by large capitalists of undue government interference in legitimate investments.

OUR DUTY TO THE FUTURE.

The United States became a world power in 1898: wisely or unwisely the War with Spain caused America to become more or less mixed in "entangling alliances"; immigration from 1900 increased to an annual accession of over 1,000,000 persons, largely from Southern Europe and Asia; this with the vast natural increase makes it certain that there will be over 200,000,000 in this country within 100 years; this vast number, living in a very complex civilization and under a very complex government, causes the future to rest absolutely upon the high intelligence and sterling

honesty of the masses for dishonesty will produce either anarchy and disintegration or tyranny and an empire.

America will become a blessing to the whole human race, or a greater curse to humanity than the Roman Empire or Napoleon. To achieve the former and prevent the latter each citizen must observe carefully: 1 Perpetuate perfectly a strong national non-sectarian but moral school system. 2. Make the national history and our civil government a prime requisite in education. 3. See that absolute honesty of motive and act exists in the public service. 4. Study carefully political platforms, but more carefully study candidates, and *vote always for the best man* irrespective of prejudice or party, but when in doubt vote for the man of your chosen party. 5. Above all be an intelligent partisan; as all reform in America has always come from concerted action, never from sporadic effort. If every citizen participates in political contests professional politicians will not be needed; but as long as the average citizen repudiates political strife, just so long the political manager is an absolute necessity. Let every American citizen be a patriotic politician.

MAR 9 1908

LIBRARY OF CONGRESS
0 021 051 895 2